

1 AN ACT

2 relating to the creation of the Harris County Improvement District
3 No. 5; providing authority to impose a tax and issue a bond or
4 similar obligation.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subtitle C, Title 4, Special District Local Laws
7 Code, is amended by adding Chapter 3834 to read as follows:

8 CHAPTER 3834. HARRIS COUNTY IMPROVEMENT DISTRICT NO. 5

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 3834.001. DEFINITIONS. In this chapter:

11 (1) "Board" means the board of directors of the
12 district.

13 (2) "District" means the Harris County Improvement
14 District No. 5.

15 Sec. 3834.002. HARRIS COUNTY IMPROVEMENT DISTRICT NO. 5.

16 The Harris County Improvement District No. 5 is a special district
17 created under Section 59, Article XVI, Texas Constitution.

18 Sec. 3834.003. PURPOSE; DECLARATION OF INTENT. (a) The

19 creation of the district is essential to accomplish the purposes of
20 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
21 Texas Constitution, and other public purposes stated in this
22 chapter. By creating the district and in authorizing the City of
23 Houston, Harris County, and other political subdivisions to
24 contract with the district, the legislature has established a

1 program to accomplish the public purposes set out in Section 52-a,
2 Article III, Texas Constitution.

3 (b) The creation of the district is necessary to promote,
4 develop, encourage, and maintain employment, commerce,
5 transportation, housing, tourism, recreation, the arts,
6 entertainment, economic development, safety, and the public
7 welfare in the district and adjacent areas.

8 (c) This chapter and the creation of the district may not be
9 interpreted to relieve Harris County or the City of Houston from
10 providing the level of services provided as of the effective date of
11 this Act, to the area in the district. The district is created to
12 supplement and not to supplant the county services provided in the
13 area in the district.

14 Sec. 3834.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

15 (a) The district is created to serve a public use and benefit.

16 (b) All land and other property included in the district
17 will benefit from the improvements and services to be provided by
18 the district under powers conferred by Sections 52 and 52-a,
19 Article III, and Section 59, Article XVI, Texas Constitution, and
20 other powers granted under this chapter.

21 (c) The creation of the district is in the public interest
22 and is essential to:

23 (1) further the public purposes of developing and
24 diversifying the economy of the state;

25 (2) eliminate unemployment and underemployment; and

26 (3) develop or expand transportation and commerce.

27 (d) The district will:

1 (1) promote the health, safety, and general welfare of
2 residents, employers, potential employees, employees, visitors,
3 and consumers in the district, and of the public;

4 (2) provide needed funding for the district to
5 preserve, maintain, and enhance the economic health and vitality of
6 the district territory as a residential neighborhood and a
7 commercially viable area; and

8 (3) promote the health, safety, welfare, and enjoyment
9 of the public by providing pedestrian ways and by landscaping and
10 developing certain areas in the district, which are necessary for
11 the restoration, preservation, and enhancement of scenic beauty.

12 (e) Pedestrian ways along or across a street, whether at
13 grade or above or below the surface, and street lighting, street
14 landscaping, and street art objects are parts of and necessary
15 components of a street and are considered to be a street or road
16 improvement.

17 (f) The district will not act as the agent or
18 instrumentality of any private interest even though the district
19 will benefit many private interests as well as the public.

20 Sec. 3834.005. DISTRICT TERRITORY. The district is
21 composed of the territory described by Section 2 of the Act enacting
22 this chapter, as that territory may have been modified under:

23 (1) Subchapter J, Chapter 49, Water Code; or

24 (2) other law.

25 Sec. 3834.006. APPLICABILITY OF MUNICIPAL MANAGEMENT
26 DISTRICTS LAW. Except as otherwise provided by this chapter,
27 Chapter 375, Local Government Code, applies to the district.

1 Sec. 3834.007. LIBERAL CONSTRUCTION OF CHAPTER. This
2 chapter shall be liberally construed in conformity with the
3 findings and purposes stated in this chapter.

4 [Sections 3834.008-3834.050 reserved for expansion]

5 SUBCHAPTER B. BOARD OF DIRECTORS

6 Sec. 3834.051. BOARD OF DIRECTORS; TERMS. (a) The
7 district is governed by a board of 11 voting directors who serve
8 staggered terms of four years, with five or six directors' terms
9 expiring June 1 of each odd-numbered year.

10 (b) The board by resolution may change the number of voting
11 directors on the board, but only if the board determines that the
12 change is in the best interest of the district. The board may not
13 consist of fewer than 5 or more than 15 directors.

14 Sec. 3834.052. QUALIFICATIONS. (a) Three voting
15 directors on the board must reside in a residential area adjacent to
16 the district and eight voting directors must represent commercial
17 property owners or tenants in the district.

18 (b) If the total number of voting directors of the board is
19 increased or reduced, the board must maintain the same percentage
20 of representation of residential and commercial areas on the board.

21 Sec. 3834.053. APPOINTMENT OF DIRECTORS. The mayor and
22 members of the governing body of the City of Houston shall appoint
23 directors from persons recommended by the board. A person is
24 appointed if a majority of the members of the governing body,
25 including the mayor, vote to appoint that person.

26 Sec. 3834.054. NONVOTING DIRECTORS. (a) The following
27 persons serve as nonvoting directors:

1 (1) the directors of the following departments of the
2 City of Houston or a person designated by that director:

3 (A) parks and recreation;

4 (B) planning and development; and

5 (C) public works; and

6 (2) the City of Houston's chief of police.

7 (b) If a department described by Subsection (a) is
8 consolidated, renamed, or changed, the board may appoint a director
9 of the consolidated, renamed, or changed department as a nonvoting
10 director. If a department described by Subsection (a) is
11 abolished, the board may appoint a representative of another
12 department that performs duties comparable to those performed by
13 the abolished department.

14 Sec. 3834.055. QUORUM. (a) Section 375.071, Local
15 Government Code, does not apply to the district.

16 (b) A majority of the board is a quorum.

17 (c) Nonvoting directors and vacant director positions are
18 not counted for the purposes of establishing a board quorum.

19 Sec. 3834.056. CONFLICTS OF INTEREST; ONE-TIME AFFIDAVIT.

20 (a) Except as provided by this section:

21 (1) a director may participate in all board votes and
22 decisions; and

23 (2) Chapter 171, Local Government Code, governs
24 conflicts of interest for directors.

25 (b) Section 171.004, Local Government Code, does not apply
26 to the district. A director who has a substantial interest in a
27 business or charitable entity that will receive a pecuniary benefit

1 from a board action shall file a one-time affidavit declaring the
2 interest. An additional affidavit is not required if the
3 director's interest changes. After the affidavit is filed with the
4 board secretary, the director may participate in a discussion or
5 vote on that action if:

6 (1) a majority of the directors have a similar
7 interest in the same entity; or

8 (2) all other similar business or charitable entities
9 in the district will receive a similar pecuniary benefit.

10 (c) A director who is also an officer or employee of a public
11 entity may not participate in the discussion of or vote on a matter
12 regarding a contract with that public entity.

13 (d) For purposes of this section, a director has a
14 substantial interest in a charitable entity in the same manner that
15 a person would have a substantial interest in a business entity
16 under Section 171.002, Local Government Code.

17 Sec. 3834.057. INITIAL VOTING DIRECTORS. (a) The initial
18 board consists of the following voting directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>Laura Jaramillo</u>
<u>2</u>	<u>Sylvia Nguyen</u>
<u>3</u>	<u>C. Fred Meyer</u>
<u>4</u>	<u>Frank Rollow</u>
<u>5</u>	<u>Charles T. Spears</u>
<u>6</u>	<u>Etan Mirwis</u>
<u>7</u>	<u>Allen Goodlow</u>
<u>8</u>	<u>Elaine Gaskamp</u>

1 9 Kevin Robbins
2 10 David Mincberg
3 11 Dr. Dawn Bradford

4 (b) Of the initial voting directors, the terms of directors
5 appointed for positions 1 through 6 expire June 1, 2009, and the
6 terms of directors appointed for positions 7 through 11 expire June
7 1, 2007.

8 (c) Section 3834.053 does not apply to this section.

9 (d) This section expires September 1, 2009.

10 [Sections 3834.058-3834.100 reserved for expansion]

11 SUBCHAPTER C. POWERS AND DUTIES

12 Sec. 3834.101. ADDITIONAL POWERS OF DISTRICT. The district
13 may exercise the powers given to:

14 (1) a corporation under Section 4B, Development
15 Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil
16 Statutes); and

17 (2) a housing finance corporation under Chapter 394,
18 Local Government Code, to provide housing or residential
19 development projects in the district.

20 Sec. 3834.102. NONPROFIT CORPORATION. (a) The board by
21 resolution may authorize the creation of a nonprofit corporation to
22 assist and act for the district in implementing a project or
23 providing a service authorized by this chapter.

24 (b) The nonprofit corporation:

25 (1) has each power of and is considered for purposes of
26 this chapter to be a local government corporation created under
27 Chapter 431, Transportation Code; and

1 (2) may implement any project and provide any service
2 authorized by this chapter.

3 (c) The board shall appoint the board of directors of the
4 nonprofit corporation. The board of directors of the nonprofit
5 corporation shall serve in the same manner as, for the same term as,
6 and on the same conditions as the board of directors of a local
7 government corporation created under Chapter 431, Transportation
8 Code.

9 Sec. 3834.103. AGREEMENTS; GRANTS. (a) The district may
10 make an agreement with or accept a gift, grant, or loan from any
11 person.

12 (b) The implementation of a project is a governmental
13 function or service for the purposes of Chapter 791, Government
14 Code.

15 Sec. 3834.104. AUTHORITY TO CONTRACT FOR LAW ENFORCEMENT.
16 To protect the public interest, the district may contract with
17 Harris County or the City of Houston for the county or the city to
18 provide law enforcement services in the district for a fee.

19 Sec. 3834.105. APPROVAL BY CITY OF HOUSTON. (a) Except as
20 provided by Subsection (b), the district must obtain the approval
21 of the City of Houston's governing body for:

22 (1) the issuance of a bond for each improvement
23 project;

24 (2) the plans and specifications of the improvement
25 project financed by the bond; and

26 (3) the plans and specifications of any district
27 improvement project related to the use of land owned by the City of

1 Houston, an easement granted by the City of Houston, or a
2 right-of-way of a street, road, or highway.

3 (b) If the district obtains the approval of the City of
4 Houston's governing body of a capital improvements budget for a
5 period not to exceed five years, the district may finance the
6 capital improvements and issue bonds specified in the budget
7 without further approval from the City of Houston.

8 Sec. 3834.106. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
9 district may join and pay dues to an organization that:

10 (1) enjoys tax-exempt status under Section 501(c)(3),
11 (4), or (6), Internal Revenue Code of 1986; and

12 (2) performs a service or provides an activity
13 consistent with the furtherance of a district purpose.

14 Sec. 3834.107. REMOVAL OF DANGEROUS BUILDINGS. (a) The
15 district may cooperate with the City of Houston to have the City of
16 Houston demolish and remove dangerous buildings in or outside the
17 district as provided by this section.

18 (b) The district may cooperate with the City of Houston to
19 demolish and remove dangerous buildings outside the district if:

20 (1) the district makes a determination that demolition
21 and removal would benefit the district; and

22 (2) the City of Houston agrees.

23 (c) The district may borrow money to finance the demolition
24 and removal of dangerous buildings under this section without
25 complying with Section 3834.152.

26 (d) The City of Houston may reimburse the district for all
27 costs financed by the district from:

1 (1) the proceeds of foreclosure on any demolition lien
2 on the property; or

3 (2) any other money the city collects or appropriates
4 for the costs.

5 Sec. 3834.108. NOTICE. Notice required by Chapter 375,
6 Local Government Code, may be sent by first class U.S. Mail rather
7 than certified mail, return receipt requested, if the board of
8 directors determines that first class mail is preferable and
9 provides adequate notice. If the board determines that first class
10 mail is preferable, the board must publish notice in a newspaper of
11 general circulation in the district at least 20 days before the
12 event of which the district is giving notice.

13 Sec. 3834.109. NO EMINENT DOMAIN. The district may not
14 exercise the power of eminent domain.

15 [Sections 3834.110–3834.150 reserved for expansion]

16 SUBCHAPTER D. FINANCIAL PROVISIONS

17 Sec. 3834.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
18 board by resolution shall establish the number of directors'
19 signatures and the procedure required for a disbursement or
20 transfer of the district's money.

21 Sec. 3834.152. PETITION REQUIRED FOR FINANCING SERVICES AND
22 IMPROVEMENTS. (a) The board may not finance a service or
23 improvement project with assessments under this chapter unless a
24 written petition requesting that service or improvement has been
25 filed with the board.

26 (b) A petition requesting a project financed by assessment
27 must be signed by:

1 (1) the owners of a majority of the assessed value of
2 real property in the district subject to assessment according to
3 the most recent certified tax appraisal roll for Harris County; or

4 (2) at least 50 owners of real property in the district
5 that will be subject to the assessment, if more than 50 persons own
6 real property subject to the assessment in the district according
7 to the most recent certified tax appraisal roll for Harris County.

8 Sec. 3834.153. MAINTENANCE TAX. (a) If authorized at an
9 election held in accordance with Section 3834.157, the district may
10 impose an annual ad valorem tax on taxable property in the district
11 to:

12 (1) administer the district;

13 (2) maintain and operate the district;

14 (3) construct or acquire improvements; or

15 (4) provide a service.

16 (b) The board shall determine the tax rate.

17 Sec. 3834.154. ASSESSMENTS; LIENS FOR ASSESSMENTS.

18 (a) The board by resolution may impose and collect an assessment
19 for any purpose authorized by this chapter.

20 (b) An assessment, a reassessment, or an assessment
21 resulting from an addition to or correction of the assessment roll
22 by the district, penalties and interest on an assessment or
23 reassessment, an expense of collection, and reasonable attorney's
24 fees incurred by the district:

25 (1) are a first and prior lien against the property
26 assessed;

27 (2) are superior to any other lien or claim other than

1 a lien or claim for county, school district, or municipal ad valorem
2 taxes; and

3 (3) are the personal liability of and a charge against
4 the owners of the property even if the owners are not named in the
5 assessment proceedings.

6 (c) The lien is effective from the date of the board's
7 resolution imposing the assessment until the date the assessment is
8 paid. The board may enforce the lien in the same manner that the
9 board may enforce an ad valorem tax lien against real property.

10 (d) The board may make a correction to or deletion from the
11 assessment roll that does not increase the amount of assessment of
12 any parcel of land without providing notice and holding a hearing in
13 the manner required for additional assessments.

14 Sec. 3834.155. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND
15 ASSESSMENTS. The district may not impose an impact fee or
16 assessment on the property, including the equipment,
17 rights-of-way, facilities, or improvements, of:

18 (1) an electric utility or a power generation company
19 as defined by Section 31.002, Utilities Code;

20 (2) a gas utility as defined by Section 101.003 or
21 121.001, Utilities Code;

22 (3) a telecommunications provider as defined by
23 Section 51.002, Utilities Code; or

24 (4) a person who provides to the public cable
25 television or advanced telecommunications services.

26 Sec. 3834.156. BONDS AND OTHER OBLIGATIONS. (a) The
27 district may issue bonds or other obligations payable wholly or

1 partly from assessments, impact fees, revenue, grants, or other
2 money of the district, or any combination of those sources of money,
3 to pay for any authorized purpose of the district.

4 (b) In exercising the district's power to borrow, the
5 district may issue a bond or other obligation in the form of a bond,
6 note, certificate of participation or other instrument evidencing a
7 proportionate interest in payments to be made by the district, or
8 other type of obligation.

9 Sec. 3834.157. TAX AND BOND ELECTIONS. (a) The district
10 shall hold an election in the manner provided by Subchapter L,
11 Chapter 375, Local Government Code, to obtain voter approval before
12 the district imposes a maintenance tax or issues bonds payable from
13 ad valorem taxes.

14 (b) The board may not include more than one purpose in a
15 single proposition at an election.

16 (c) Section 375.243, Local Government Code, does not apply
17 to the district.

18 Sec. 3834.158. MUNICIPALITY NOT REQUIRED TO PAY DISTRICT
19 OBLIGATIONS. Except as provided by Section 375.263, Local
20 Government Code, a municipality is not required to pay a bond, note,
21 or other obligation of the district.

22 Sec. 3834.159. COMPETITIVE BIDDING. Section 375.221, Local
23 Government Code, applies to the district only for a contract that
24 has a value greater than \$25,000.

25 [Sections 3834.160-3834.200 reserved for expansion]

26 SUBCHAPTER E. DISSOLUTION

27 Sec. 3834.201. DISSOLUTION OF DISTRICT WITH OUTSTANDING

1 DEBT. (a) The board may dissolve the district regardless of
2 whether the district has debt. Section 375.264, Local Government
3 Code, does not apply to the district.

4 (b) If the district has debt when it is dissolved, the
5 district shall remain in existence solely for the purpose of
6 discharging its debts. The dissolution is effective when all debts
7 have been discharged.

8 SECTION 2. As of the effective date of this Act, the Harris
9 County Improvement District No. 5 includes all territory contained
10 in the following described area:

11 Beginning at point approximately 600 feet from the
12 intersection of the south right-of-way line of Murphy Road and the
13 south right-of-way line of Highway 59;

14 Thence in a northeasterly direction along the southeast
15 right-of-way line of Highway 59 approximately 10,900 feet to the
16 south right-of-way line of Bissonnet Street;

17 Thence in an easterly direction along the south right-of-way
18 line of Bissonnet Street a distance of approximately 3,500 feet to
19 the east right-of-way line of South Gessner Boulevard;

20 Thence in a southerly direction along the east right-of-way
21 line of South Gessner Boulevard a distance of approximately 1,100
22 feet to the north right-of-way line of Braeswood Bayou;

23 Thence in an easterly direction along the north right-of-way
24 line of Braeswood Bayou a distance of approximately 9,500 feet to
25 the east right-of-way line of Hillcroft Avenue;

26 Thence in a southerly direction along the east right-of-way
27 line of Hillcroft Avenue a distance of approximately 3,800 feet to

1 the south right-of-way line of Willowbend Drive;

2 Thence in a westerly direction along the south right-of-way
3 line of Willowbend Drive a distance of approximately 1,500 feet to
4 east line of Harris County Flood Control Ditch D-139-03;

5 Thence in a southerly direction along the east line of Harris
6 County Flood Control Ditch 139-03 continuing south along the east
7 line of Harris County Flood Control Ditch 140-05-02 continuing
8 further south along the east line of Harris County Flood Control
9 Ditch 140-05-01 a total distance of approximately 9,500 feet to the
10 north right-of-way line of Highway 90A;

11 Thence in an easterly direction along the north right-of-way
12 line of Highway 90A a distance of approximately 4,600 feet to the
13 east line of Harris County Flood Control Ditch C-156;

14 Thence crossing Highway 90A in a southerly direction along
15 the east line of Harris County Flood Control Ditch C-156 a distance
16 of approximately 3,900 feet to the south right-of-way line of West
17 Orem Drive;

18 Thence in a westerly direction along the south right-of-way
19 line of West Orem Drive a distance of approximately 3,200 feet to
20 the east right-of-way line of Blue Ridge Drive;

21 Thence in a southerly direction along the east right-of-way
22 line of Blue Ridge Drive a distance of approximately 4,300 feet to
23 the south right-of-way line of Sam Houston Tollway (Beltway 8);

24 Thence in a northwesterly direction along the south
25 right-of-way line of Sam Houston Tollway a distance of
26 approximately 13,800 feet to the east line of Reserve D, Block 1,
27 Sanders Ridge Replat;

1 Thence in a southwesterly direction along east line of
2 Reserve D, Block 1, Sanders Ridge Replat a distance of
3 approximately 1,900 feet to the north right-of-way line of Cravens
4 Street;

5 Thence in a northwesterly direction along the north
6 right-of-way line of Cravens Street a distance of approximately
7 1,100 feet to the south right-of-way line of Stafford Road;

8 Thence in a northeasterly direction along the south
9 right-of-way line of Stafford Road a distance of approximately
10 1,500 feet to a point;

11 Thence in a westerly direction a distance of approximately
12 1,000 feet to the west right-of-way line of New Stafford Road;

13 Thence in a northwesterly direction along the west
14 right-of-way line of New Stafford Road a distance of approximately
15 300 feet to the south right-of-way line of West Airport Boulevard;

16 Thence in a westerly direction along the south right-of-way
17 line of West Airport Boulevard a distance of approximately 2,800
18 feet to the east line of Harris County Flood Control Ditch D-118-05;

19 Thence in a northerly direction along the east line of Harris
20 County Flood Control Ditch D-118-05 a distance of approximately
21 2,200 feet to the south right-of-way line of Dorrance Street;

22 Thence in a westerly direction along the south right-of-way
23 line of Dorrance Street a distance of approximately 4,500 feet to
24 the south right-of-way line of Highway 59 and the Point of Beginning

25 SAVE AND EXCEPT all property or lots that have been plated and
26 recorded for use solely for single family residential purposes, are
27 designated by the Harris County Appraisal District as single-family

1 residential or are otherwise determined to be single-family
2 residential, and all property, both real and personal, in the
3 following described area:

4 TRACT I:

5 A parcel of land containing 4.9328 acres (214,875 square feet) more
6 or less, being a remainder of that certain tract conveyed from
7 Albert S. Weycer, Trustee to Smith, Liu & Corbin, Inc., as recorded
8 in County Clerk's File No. K349561, Official Public Records of Real
9 Property, Harris County, Texas, and also being a remainder of that
10 certain tract conveyed from Greater Southwest Office Park, Ltd. to
11 Smith, Liu & Corbin, Inc., as recorded in County Clerk's File No.
12 K347824, Official Public Records of Real Property, Harris County,
13 Texas, said 4.9328 acre tract being situated in the H.T & B.R.R. Co.
14 Survey, Abstract No. 397, in Harris County, Texas and being more
15 particularly described by metes and bounds as follows:

16 BEGINNING at a found 5/8 inch iron rod in the southeast line of U.S.
17 Highway 59 (right-of-way varies), for the most east corner of that
18 certain 0.091 acre tract described in a judgement, the State of
19 Texas v. Jay marks, Trustee, et al, as recorded in County Clerk's
20 File No. M917764, Official Public Records of Real Property, Harris
21 County, Texas, same being the most south corner of that certain 0.122
22 acre tract described in a Judgement, the State of Texas v. Smith,
23 Liu & Corbin, Inc. as recorded in County Clerk's File No. M191871,
24 Official Public Records of Real Property, Harris County, Texas,
25 also being the most north corner of the remainder of that certain
26 tract conveyed from Greater Southwest Office Park, Ltd. to Jay
27 Mark, Trustee, as recorded in County Clerk's File No. K347823,

1 Official Public Records of Real Property, Harris County, Texas, and
2 also being the most west corner of the said remainder of the Smith,
3 Liu & Corbin, Inc., Tract, recorded in File No. K347824, from which
4 a found TxDot Monument bears, North 46 deg. 35 min. 00 sec. East,
5 1.11 feet;
6 THENCE North 43 deg. 59 min. 40 sec. East, with the said southeast
7 line of U.S. Highway 59, and the southeast line of the said 0.122
8 acre tract, and first with the northwest line of said remainder of
9 the Smith, Liu & Corbin, Inc., Tract, recorded in File No. K347824,
10 then with the northwest line of the said remainder of the Smith, Liu
11 & Corbin, Inc., Tract, recorded in File No. K349561, a distance of
12 319.19 feet to a found TxDot Monument;
13 THENCE North 44 deg. 55 min. 44 sec. East, continuing with the said
14 southeast line of U.S. Highway 59, and the said southeast line of
15 the 0.122 acre tract, same being the said northwest line of the
16 remainder of the Smith, Liu & Corbin, Inc. Tract, recorded in File
17 No. K349561, a distance of 11.74 feet to a found TxDot Monument, for
18 a point of curvature;
19 THENCE continuing with the said southeast line of U. S. Highway 59,
20 and the said southeast line of the 0.122 acre tract, same being the
21 said northwest line of the remainder of the Smith, Liu & Corbin,
22 Inc. Tract, recorded in File No. K349561, a distance of 172.67 feet
23 along the arc of a curve to the left, having a radius of 5702.38
24 feet, a central angle of 01 deg. 44 min. 06 sec., and a chord which
25 bears, North 44 deg. 03 min. 41 sec. East, a distance of 172.66 feet
26 to a set 5/8 inch iron rod, for the most west corner of that certain
27 tract conveyed from Smith, Liu & Corbin, Inc. to Paramount

1 Southwest, Inc., as recorded in County Clerk's File No. R800583,
2 Official Public Records of Real Property, Harris County, Texas,
3 same being the most west corner of that certain tract conveyed from
4 Paramount Southwest, Inc. to Foyt Motors, Inc., as recorded in
5 County Clerk's File No. R800584, Official Public Records of Real
6 Property, Harris County, Texas, and also being the most north
7 corner of the said remainder of the Smith, Liu & Corbin Tract,
8 recorded in File No. K349561;

9 THENCE South 47 deg. 09 min. 02 sec. East, with the southwest line
10 of the said Paramount Southwest, Inc., Tract, and the southwest
11 line of the said Foyt Motors, Inc. Tract, same being the northeast
12 line of the said remainder of the Smith, Liu & Corbin, Inc. Tract,
13 recorded in File No. K349561, a distance of 31.53 feet to a found
14 5/8 inch iron rod, for the most north corner of that certain tract
15 conveyed from Paramount Southwest, Inc. to Smith, Liu & Corbin,
16 Inc. as recorded in County Clerk's File No. R800582, Official
17 Public Records of Real Property, Harris County, Texas, same being
18 the south corner of the said Paramount Southwest, Inc., Tract, and
19 also being a corner of the said remainder of the Smith, Liu &
20 Corbin, Inc., Tract recorded in File No. K349561;

21 THENCE South 00 deg. 04 min. 44 sec. East, with the west line of the
22 said Smith, Liu & Corbin, Inc. Tract recorded in File No. R800582,
23 same being an east line of the said remainder of the Smith, Liu &
24 Corbin, Inc., Tract, recorded in File No. K349561, a distance of
25 279.10 feet to a found 5/8 inch iron rod, for the southwest corner
26 of the said Smith, Liu & Corbin, Inc., Tract, recorded in. File No.
27 R800582, same being a corner of the said remainder of the Smith, Liu

1 & Corbin, Inc., Tract, recorded in File No. K349561;
2 THENCE North 89 deg. 52 min. 49 sec. East, with the north line of the
3 said remainder of the Smith, Liu & Corbin, Inc., Tract, recorded in
4 File No. K349561, same being the south line of the said Smith, Liu &
5 Corbin, Inc., Tract, recorded in File No. R800582, at a distance of
6 299.82 feet pass a found "X" in concrete, for the southwest corner
7 of the said Foyt Motors, Inc., Tract, same being the southeast
8 corner of the said Smith, Liu & Corbin, Inc., Tract, recorded in
9 File No. R800582, then with the south line of the said Foyt Motors,
10 Inc., Tract, a total distance of 400.48 feet to a found 5/8 inch
11 iron rod in the west line of Paramount Fifty Nine, Section two, a
12 recorded in Volume 390, Page 104, Map Records of Harris County,
13 Texas, for the southeast corner of the said Foyt Motors, Inc.,
14 Tract, same being the northeast corner of the said remainder of the
15 Smith, Liu & Corbin, Inc., Tract, recorded in File No. K349561, from
16 which a found 5/8 inch iron rod bears, North 35 deg. 57 min. 22 sec.
17 East, 0.40 feet;
18 THENCE South 00 deg. 06 min. 16 sec. East, with the said west line of
19 Paramount Fifty Nine, Section Two, same being an east line of the
20 said remainder of the Smith, Liu & Corbin, Inc., Tract recorded in
21 File No. K349561, a distance of 241.29 feet to a found 5/8 inch iron
22 rod for the northeast corner of that certain tract conveyed from
23 Albert S. Weycer, Trustee to Jay Marks, Trustee, as recorded in
24 County Clerk's File No. K349560, Official Public Records of Real
25 Property, Harris County, Texas, same being the southeast corner of
26 the said remainder of the Smith, Liu & Corbin, Inc., Tract, recorded
27 in File No. K349561, from which a found 5/8 inch iron rod bears,

1 South 21 deg. 10 min. 37 sec. West, 0.81 feet;
2 THENCE North 89 deg. 58 min. 26 sec. West, with the north line of the
3 said Jay Marks, Trustee Tract, recorded in File No. K349560, same
4 being the south line of the said remainder of the Smith, Liu &
5 Corbin, Inc., Tract, recorded in File No. K349561, a distance of
6 445.00 feet, to a set 5/8 inch iron rod, for a corner;
7 THENCE North 76 deg. 24 min. 49 sec. West, first with the said south
8 line of the remainder of the Smith, Liu & Corbin, Inc., Tract,
9 recorded in File No. K349561, same being the said north line of the
10 Jay Marks, Trustee Tract, recorded in File No. K349560, then with
11 the southwest line of the said remainder of the Smith, Liu & Corbin,
12 Inc. Tract, recorded in File No. K347824, same being the northeast
13 line of the said remainder of the Jay Marks, Trustee Tract, recorded
14 in File No. K347823, a distance of 198.06 feet to a found "X" in
15 concrete, for a corner, from which a found "X" in concrete bears,
16 South 65 deg. 56 min. 55 sec. West, 0.39 feet;
17 THENCE North 46 deg. 00 min. 19 sec. West, continuing with the said
18 southwest line of the remainder of the Smith, Liu & Corbin, Inc.,
19 Tract, recorded in File No. K347824, and the said northeast line of
20 the remainder of the Jay Marks, Trustee Tract, recorded in File No.
21 K347823, a distance of 190.31 feet to the POINT OF BEGINNING and
22 containing 4.9328 acres (214,875 square feet) of land more or less,
23 and together with any and all rights to the non-exclusive easement
24 and right-of-way for storm sewer purposes set forth under Harris
25 County Clerk File No (s). K349562.
26 TRACT II:
27 A parcel of land containing 0.9605 acre (41,840 square feet) more or

1 less, being that same tract conveyed from Paramount Southwest, Inc.
2 to Smith, Liu & Corbin, Inc., as recorded in County Clerk's File No.
3 R800582, Official Public Records of Real Property, Harris County,
4 Texas, and being more particularly described by metes and bounds as
5 follows:

6 COMMENCING at a set 5/8 inch iron rod in the southeast line of U.S.
7 Highway 59 (right-of-way varies), same being in the east line of
8 that certain 0.122 acre tract described in a Judgment, the State of
9 Texas, v. Smith, Liu & Corbin, Inc., as recorded in County Clerk's
10 File No. M191871, Official Public Records of Real Property, Harris
11 County, Texas, for the most north corner of the remainder of that
12 certain tract conveyed from Albert S. Weycer, Trustee to Smith, Liu
13 & Corbin, Inc., as recorded under County Clerk's File No. K349561,
14 Official Public Records of real Property, Harris County, Texas,
15 same being the most wet corner of that certain tract conveyed from
16 Smith, Liu & Corbin, Inc. to Paramount Southwest, Inc., as recorded
17 under County Clerk's File No. R800583, Official Public Records of
18 Real Property, Harris County, Texas, and also being the most west
19 corner of that certain tract conveyed from Paramount Southwest,
20 Inc., to Foyt Motors, Inc., as recorded under County Clerk's File
21 No. R800584, Official Public Records of Real Property, Harris
22 County, Texas;

23 THENCE South 47 deg. 09 min. 02 sec. East, with the Northeast line
24 of the said remainder of the Smith, Liu & Corbin, Inc., Tract
25 recorded in file No. K349561, same being the Southwest line of the
26 said Paramount Southwest, Inc. tract and the southwest line of the
27 said Foyt Motors, Inc. tract, a distance of 31.53 feet to a found

1 5/8 inch iron rod for a corner of the said remainder of the Smith,
2 Liu & Corbin, Inc., Tract, recorded under Harris County Clerk's
3 File No. K349561, same being the South corner of the said Paramount
4 Southwest, Inc. tract, also being the most north corner of the said
5 Smith, Liu & Corbin, Inc., Tract, recorded in File No. R800582, and
6 also being the POINT OF BEGINNING;
7 THENCE South 47 deg. 09 min. 02 sec. East, with the said southwest
8 line of the Foyt Motors, Inc. Tract, same being the northeast line
9 of the said Smith, Liu & Corbin, Inc. Tract, recorded in File No.
10 R800582, a distance 409.48 feet, to a found "X" in concrete, in the
11 north line of the said remainder of the Smith, Liu & Corbin, Inc.
12 Tract, recorded in File No. K349561, for the southwest corner of the
13 said Foyt Motors, Inc. Tract, same being the southwest corner of the
14 said Smith, Liu & Corbin, Inc., Tract, recorded in File No.
15 R8005822;
16 THENCE South 89 deg. 52 min. 49 sec. West, with the said north line
17 of the remainder of the Smith, Liu & Corbin, Inc. Tract, recorded
18 under Harris County Clerk's File No. K349561, same being the south
19 line of the said Smith, Liu & Corbin, Inc. tract recorded under
20 Harris County Clerk's File No. R800582, a distance of 299.82 feet to
21 a found 5/8 inch iron rod, for a corner of the said remainder of the
22 Smith, Liu & Corbin, Inc. Tract, recorded in File No. K349596, same
23 being the southwest corner of the said Smith, Liu & Corbin, Inc.
24 Tract, recorded in File No. R800582;
25 THENCE North 00 deg. 04 min. 44 sec. West, with an east line of the
26 said remainder of the Smith, Liu & Corbin, Inc. Tract, recorded
27 under Harris County Clerk's File No. K349561, same being the West

1 line of the said Smith, Liu & Corbin, Inc. Tract, recorded in File
2 No. R800582, a distance of 279.10 feet to the POINT OF BEGINNING,
3 and containing 0.9605 of an acre (41,840 square feet) of land more
4 or less, together with any and all rights in and to the storm sewer
5 easement set forth under Harris County Clerk File No.(s) R800586.

6 2.1207 acres of land being part of the H.T. & B.R.R. Company Survey,
7 Abstract No. 397, Harris County, Texas, and being out of that
8 certain tract of land conveyed to Frances M. Britton in deed
9 recorded in Volume 979, Page 40, Harris County Deed Records, said
10 2.1207 acres of land being more particularly described by metes and
11 bounds as follows:

12 COMMENCING at a 5/8 inch iron rod found for the most northerly
13 northwest corner of the said Britton tract, said corner being on the
14 southeasterly right-of-way line of U.S. Highway 59;

15 THENCE along said right-of-way line South 40 deg. 20 min. 05 sec.
16 West, a distance of 150.00 feet to a found 5/8 inch iron rod for
17 POINT OF BEGINNING of the herein described tract;

18 THENCE leaving said right-of-way line, South 49 deg. 39 min. 55 sec.
19 East, a distance of 392.61 feet to a 5/8 inch iron rod found for the
20 Northeast corner of the herein described tract of land;

21 THENCE South 02 deg. 31 min. 49 sec. East, a distance of 179.26 feet
22 to a point for corner at a concrete fence base at the southeast
23 corner of the herein described tract of land, same being the
24 Northeastern corner of Southwest Plaza, a subdivision recorded in
25 Volume 319, Page 117, Harris County, Texas;

26 THENCE South 87 deg. 21 min. 56 sec. West, a distance of 100.66 feet
27 along the northerly line of unrestricted Reserve B to a found 5/8

1 inch iron rod marking the most southwest corner of the herein
2 described tract;

3 THENCE North 49 deg. 39 min. 55 sec. West, a distance of 441.01 feet
4 to a found 5/8 inch iron rod along the southeasterly right-of-way
5 line of U.S. Highway 59;

6 THENCE on a curve to the left along said right-of-way having a
7 central angle of 00 deg. 20 min. 22 sec., a radius of 5702.38 feet,
8 and length of 33.79 feet to a found 5/8 inch iron rod;

9 THENCE North 40 deg. 20 min. 05 sec. East along the southeast
10 right-of-way of U.S. Highway 59, a distance of 166.21 feet to the
11 POINT OF BEGINNING and containing 2.1207 acres (92,376 sq. ft.) of
12 land.

13 A 9.9800 acre tract of land in the H.T. & B. R.R. Survey, Abstract
14 No. 397, Harris County Texas, being all of Paramount Fifty Nine
15 Section One, a subdivision recorded in Film Code 381083, Harris
16 County Map Records, said tract being more particularly described by
17 metes and bounds as follows:

18 BEGINNING at a fence post in the east line of said subdivision, and
19 the Southeast corner of a 0.3248 acre tract described in a deed
20 recorded in Volume 3567, Page 698 of the Harris County Deed Records
21 and being in the west line of a 40-foot wide drainage easement
22 described in instruments recorded in Volume 4000, Page 62 and
23 Volume 4014, Page 496, both of the Harris County Deed Records;

24 THENCE South 02 deg 39' 43" East, a distance of 1171.40 feet along
25 the east line of said subdivision and along the west line of said 40
26 foot wide drainage easement to a 5/8 inch iron rod found for corner;

27 THENCE South 87 deg 20' 17" West, a distance of 315.00 feet to a 5/8

1 inch iron rod found for corner;
2 THENCE North 02 deg 39' 43" West, a distance of 649.83 feet to a 5/8
3 inch iron rod found for an angle point;
4 THENCE North 48 deg 09' 23" West, a distance of 359.77 feet to 5/8
5 inch iron rod found in the southeasterly right-of-way line of U.S.
6 Highway No. 59 (Southwest Freeway);
7 THENCE North 41 deg 50' 37" East, a distance of 377.05 feet along
8 the southeasterly right-of-way line of U.S. Highway 59, same being
9 the southeasterly line of a 2.6034 acre tract recorded in Vol. 3567,
10 Page 554, of the Harris County Deed Records, to a cut "x" for the
11 southwest corner of said 0.3248 acre tract, and the most northerly
12 northwest corner of the herein described tract;
13 THENCE North 87 deg 14' 58" East, along the south line of said
14 0.3248 acre tract, a distance of 307.28 feet to the POINT OF
15 BEGINNING and containing 9.9800 acres (434,730 sq. ft.) of land.
16 A tract of land containing .4679 acre, being a portion of Lots 3 & 4,
17 Block 12, Country Club Villas, a subdivision in Harris County,
18 Texas, recorded in Volume 34, Page 9, Harris County Map Records, and
19 being in the H.T.& B Survey, A 398 and being more particularly
20 described by metes and bounds as follows:
21 BEGINNING at a 5/8 inch iron rod found on the North right-of-way
22 line of Whitechapel Lane (30 feet wide) as recorded in Volume 34,
23 Page 9, Harris County Map Records, said 5/8 inch iron rod being the
24 on the west right-of-way line of Plainfield Road, and further being
25 the southeast corner of Lot 4, Block 12, of said Country Club
26 Villas;
27 THENCE South 87 deg 24' 10" West, leaving the West right-of-way line

1 of Plainfield Road, a distance of 160.41 feet to a found 5/8 inch
2 iron rod marking the most Southwesterly corner of Lot 4, Block 12;
3 THENCE North 02 deg 48' 23" West, a distance of 54.54 feet to a found
4 5/8 inch iron rod located in the Southerly right-of-way line of U.S.
5 Hwy 59 (300 feet wide);
6 THENCE North 41 deg 39' 26" East, along the Southerly right-of-way
7 line of U.S. Hwy 59, a distance of 149.09 feet to a set 5/8 inch iron
8 rod marking the most Northerly Northwest corner of the herein
9 described tract;
10 THENCE North 87 deg 24' 10" East, leaving the Southerly
11 right-of-way line of U.S. Hwy 59, a distance of 57.00 feet to a set
12 5/8 inch iron rod, said point located on the most Westerly
13 right-of-way line of Plainfield Road;
14 THENCE South 02 deg 25' 48" East, along the west right-of-way line
15 of said Plainfield Road, a distance of 161.33 feet to the POINT OF
16 BEGINNING and containing .4679 acres (20,384 sq ft) of land.

17 DESCRIPTION OF A TRACT OF LAND CONTAINING
18 1.0352 ACRES (45,092 SQUARE FEET) SITUATED
19 IN THE JAMES ALSTON SURVEY, A-100, HARRIS
20 COUNTY, TEXAS

21 Being a tract of land containing 1.0352 acres (45,092 square
22 feet) situated in the James Alston Survey, A-100 in Harris County,
23 Texas, and also being out of a 3.000-acre tract as conveyed unto
24 Texas Commerce Bancshares, Inc. by deed recorded under County
25 Clerk's File No. H209495, Film Code No. 199-89-0892 of the Official
26 Public Records of Real Property of Harris County, Texas. Said
27 1.0352-acre tract being more particularly described by metes and

1 bounds as follows:

2 BEGINNING at a point located in the easterly right-of-way
3 line of U.S. Highway 59 for the northwest corner of said 3.000-acre
4 tract and the southwest corner of said 143,000-square foot tract as
5 conveyed unto the First National Bank of Stafford by deed recorded
6 under County Clerk's File No. F416621, Film Code No. 183-07-1830 of
7 the Official Public Records of Real Property of Harris County,
8 Texas, from which a metal disk in a concrete filled 3-inch by 3-inch
9 iron post bears East, a distance of 0.2 feet and a 1/2-inch iron rod
10 bears South, a distance of 0.2 feet and West, a distance of 0.1
11 feet;

12 THENCE South 69° 56' 00" East with the north line of said
13 3.000-acre tract and the south line of said 143,000-square foot
14 tract, a distance of 203.14 feet to a PK nail set in concrete for the
15 northeast corner of said tract herein described;

16 THENCE South 21° 27' 03" West, a distance of 189.51 feet to a
17 5/8-inch iron rod set for the southeast corner of said tract herein
18 described located in the south line of said 3.000-acre tract;

19 THENCE North 68° 32' 57" West with the south line of said
20 3.000-acre tract, a distance of 280.05 feet to a 5/8-inch iron rod
21 set for the southwest corner of said tract herein described located
22 in the easterly right-of-way line of said U.S. Highway 59;

23 THENCE North 44° 05' 00" East with the easterly right-of-way
24 line of said U.S. Highway 59, a distance of 200.00 feet to the POINT
25 OF BEGINNING and containing 1.0352 acres (45,092 square feet) of
26 land, more or less.

27 TRACT 1

1 BEING THAT CERTAIN TRACT OF LAND CONTAINING 2.1764 ACRES, IN THE
2 H.T. & B.R.R. COMPANY SURVEY, ABSTRACT NO. 397, HARRIS COUNTY,
3 TEXAS, OUT OF THAT SAME 39.855 ACRE TRACT OF LAND DESCRIBED IN A
4 DEED RECORDED IN VOLUME 7853, PAGE 52 OF HARRIS COUNTY DEED RECORDS,
5 SAID TRACT BEING IN RESERVE "B" OF BLOCK 2 AS SHOWN ON THE PLAT OF
6 SOUTHWEST PLAZA RECORDED IN VOLUME 319, PAGE 117 OF THE HARRIS
7 COUNTY MAP RECORDS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY
8 METES AND BOUNDS AS FOLLOWS:

9 BEGINNING AT A 5/8" IRON ROD FOUND IN THE SOUTHEASTERLY
10 RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 59 (SOUTHWEST FREEWAY) AS
11 WIDENED FOR ITS INTERCHANGE WITH BELTWAY 8 AND DESCRIBED AS 12,827
12 SQUARE FEET IN A DEED FROM GREATER SOUTHWEST OFFICE PARK, LTD. TO
13 THE STATE OF TEXAS, DATED JULY 7, 1983 (SAID 12,827 SQUARE FOOT
14 TRACT BEING RESERVE "F" OF SAID BLOCK 2), AT THE SOUTHWEST CORNER OF
15 SAID RESERVE "B", AT THE NORTHWEST CORNER OF RESERVE "C" OF SAID
16 BLOCK 2, AND IN THE CENTERLINE OF A HOUSTON LIGHTING & POWER COMPANY
17 80-FOOT WIDE EASEMENT AS DESCRIBED IN INSTRUMENTS RECORDED IN
18 VOLUME 3455, PAGE 515, VOLUME 3455, PAGE 518 AND VOLUME 7847, PAGE
19 532, ALL OF THE HARRIS COUNTY DEED RECORDS:

20 THENCE, N 37° 48' 21" E, 110.93 FEET ALONG THE SOUTHEASTERLY
21 RIGHT-OF-WAY LINE OF THE SAID WIDENING OF U.S. HIGHWAY NO. 59 FOR
22 THE INTERCHANGE WITH BELTWAY 8, SAME BEING THE SOUTHEASTERLY LINE
23 OF SAID RESERVE "F" AND ALONG THE NORTHWESTERLY LINE OF SAID RESERVE
24 "B" TO A 5/8" IRON ROD WITH ALUMINUM CAP FOUND AT THE MOST NORTHERLY
25 CORNER OF SAID RESERVE "F";

26 THENCE, N 43° 59' 41" E, 326.50 FEET ALONG THE SOUTHEASTERLY
27 RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 59 (300 FEET OF R.O.W.) AND

1 ALONG THE NORTHWESTERLY LINE OF SAID RESERVE "B" TO A 5/8" IRON ROD
2 SET AT THE MOST NORTHERLY CORNER OF THE HEREIN DESCRIBED TRACT;
3 THENCE, S 46° 00' 19" E, 200.00 FEET TO A 5/8" IRON ROD SET FOR
4 CORNER;
5 THENCE, S 76° 24' 49" E, 50.92 FEET TO A 5/8" IRON ROD SET FOR CORNER
6 IN A WEST LINE OF THAT CERTAIN 21.4670 ACRE TRACT DESCRIBED IN A
7 DEED RECORDED IN VOLUME 4758, PAGE 584 OF THE HARRIS COUNTY DEED
8 RECORDS;
9 THENCE, S 00° 12' 53" E, 171.88 FEET ALONG A WEST LINE OF SAID
10 21.4670 ACRE TRACT AND ALONG THE EAST LINE OF SAID 39.855 ACRE TRACT
11 TO A 5/8" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THE HEREIN
12 DESCRIBED TRACT, AND BEING IN THE CENTERLINE OF THE SAID HOUSTON
13 LIGHTING & POWER COMPANY 80-FOOT WIDE EASEMENT;
14 THENCE, N 89° 58' 26" W, 488.80 FEET ALONG THE SOUTH LINE OF SAID
15 RESERVE "B", ALONG THE NORTH LINE OF SAID RESERVE "C" AND ALONG THE
16 CENTERLINE OF THE SAID HOUSTON LIGHTING & POWER COMPANY 80-FOOT
17 WIDE EASEMENT TO THE POINT OF BEGINNING AND CONTAINING 2.1764 ACRES
18 OF LAND, SAVE AND EXCEPT THAT CERTAIN TRACT CONTAINING 3,975 SQUARE
19 FEET OF LAND AWARDED TO THE STATE OF TEXAS UNDER CONDEMNATION AWARD,
20 A COPY OF WHICH IS RECORDED UNDER COUNTY CLERK'S FILE NO. M917764 OF
21 THE OFFICIAL RECORDS OF HARRIS COUNTY, TEXAS AND BEING DESCRIBED
22 THEREIN.

23 Tract 1 also being described as follows:

24 A PARCEL OF LAND CONTAINING 2.0854 ACRES (90,840 SQUARE FEET) MORE
25 OR LESS BEING OUT OF UNRESTRICTED RESERVE "B", BLOCK 2, SOUTHWEST
26 PLAZA, AS RECORDED IN VOLUME 319, PAGE 117, MAP RECORDS OF HARRIS
27 COUNTY AND ALSO BEING THE REMAINDER PORTION OF THAT CERTAIN 2.1764

1 ACRE TRACT, CONVEYED FROM GREATER SOUTHWEST OFFICE PARK, LTD. TO
2 JAY MARKS, TRUSTEE, AS RECORDED IN COUNTY CLERK'S FILE NO. K347823,
3 OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, HARRIS COUNTY, TEXAS,
4 O.P.R.R.P.H.C.T., SAID 2.0854 ACRE TRACT BEING SITUATED IN THE H.T.
5 & B.R.R. CO. SURVEY, ABSTRACT NO. 397, IN HARRIS COUNTY, TEXAS, AND
6 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

7 BEGINNING AT A FOUND 5/8 INCH IRON ROD IN THE SOUTHEAST LINE OF U.S.
8 HIGHWAY 59, SOUTHWEST FREEWAY, RIGHT-OF-WAY VARIES, FOR THE MOST
9 SOUTHERLY CORNER OF THAT CERTAIN 0.122 ACRE TRACT DESCRIBED IN A
10 JUDGMENT, THE STATE OF TEXAS V. SMITH, LIU & CORBIN, INC. ET AL, AS
11 RECORDED IN COUNTY CLERK'S FILE NO. M191871, O.P.R.R.P.H.C.T., SAME
12 BEING THE MOST EASTERLY CORNER OF THAT CERTAIN 0.091 ACRE TRACT
13 DESCRIBED IN A JUDGEMENT, THE STATE OF TEXAS V. JAY MARKS, TRUSTEE,
14 ET AL, AS RECORDED IN COUNTY CLERK'S FILE NO. M917764,
15 O.P.R.R.P.H.C.T., ALSO BEING THE MOST WESTERLY CORNER OF THAT
16 CERTAIN 4.9328 ACRE TRACT I, CONVEYED FROM SMITH LIU, & CORBIN, INC.
17 TO CAR GRI, L.P., AS RECORDED IN COUNTY CLERK'S FILE NO. T483127,
18 O.P.R.R.P.H.C.T., AND ALSO BEING THE MOST NORTHERLY CORNER OF THE
19 SAID REMAINDER OF THE 2.1764 ACRE TRACT, FROM WHICH A FOUND TX DOT
20 MONUMENT BEARS, N 46° 35' 00" E, 1.11 FEET;

21 THENCE, WITH THE SOUTH LINE OF THE SAID 4.9328 ACRE TRACT I, SAME
22 BEING THE NORTH LINE OF THE SAID REMAINDER OF THE 2.1764 ACRE TRACT,
23 THE FOLLOWING (2) TWO COURSES AND DISTANCES:

- 24 1. S 46° 00' 19" E, A DISTANCE OF 190.31 FEET TO A FOUND "X"
25 CUT IN CONCRETE, FROM WHICH ANOTHER FOUND "X" CUT IN
26 CONCRETE, BEARS, S 65° 56' 55" W, 0.39 FEET, AND
27 2. S 76° 24' 49" E, A DISTANCE OF 50.92 FEET TO A SET 5/8 INCH

1 IRON ROD WITH CAP STAMPED CIVIL-SURV, FOR THE NORTHWEST
2 CORNER OF THAT CERTAIN 1.9102 ACRE TRACT CONVEYED FROM
3 ALBERT S. WEYCER, TRUSTEE, TO JAY MARKS, TRUSTEE, AS
4 RECORDED IN COUNTY CLERK'S FILE NO. K349560,
5 O.P.R.R.P.H.C.T., SAME BEING THE NORTHEAST CORNER OF THE
6 SAID REMAINDER OF THE 2.1764 ACRE TRACT;
7 THENCE, S 00° 12' 53" E, WITH THE WEST LINE OF THE SAID 1.9102 ACRE
8 TRACT, SAME BEING THE EAST LINE OF THE SAID REMAINDER OF THE 2.1764
9 ACRE TRACT, A DISTANCE OF 171.88 FEET. TO A SET PK NAIL, IN THE
10 NORTH LINE OF UNRESTRICTED RESERVE "C", OF SAID BLOCK 2, SOUTHWEST
11 PLAZA, SAME BEING IN THE SOUTH LINE OF UNRESTRICTED RESERVE "B", FOR
12 THE NORTHWEST CORNER OF THAT CERTAIN 0.9442 ACRE TRACT, CONVEYED
13 FROM ALBERT S. WEYCER, TRUSTEE TO LESTER A. MARKS AND FRANCES M.
14 LOWE, AS RECORDED IN COUNTY CLERK'S FILE NO. N472331,
15 O.P.R.R.P.H.C.T., SAME BEING THE NORTHEAST CORNER OF THAT CERTAIN
16 0.8144 ACRE TRACT, CONVEYED FROM TEXAS COMMERCE BANK NATIONAL
17 ASSOCIATION TO LESTER A. MARKS AND FRANCES M. LOWE, AS RECORDED IN
18 COUNTY CLERK'S FILE NO. M080219, O.P.R.R.P.H.C.T., ALSO BEING THE
19 SOUTHWEST CORNER OF THE SAID 1.9102 ACRE TRACT, AND ALSO BEING THE
20 SOUTHEAST CORNER OF THE SAID REMAINDER OF THE 2.1764 ACRE TRACT;
21 THENCE, N 89° 58' 26" W, WITH THE SAID NORTH LINE OF UNRESTRICTED
22 RESERVE "C" AND WITH THE NORTH LINE OF THE SAID 0.8144 ACRE TRACT,
23 SAME BEING THE SAID SOUTH LINE OF UNRESTRICTED RESERVE "B", AND THE
24 SOUTH LINE OF THE SAID REMAINDER OF THE 2.1764 ACRE TRACT, A
25 DISTANCE OF 482.85 FEET, TO A POINT ON THE CONCRETE BASE OF A PIPE
26 FENCE POST, IN THE SAID SOUTHWEST LINE OF U.S. HIGHWAY 59, SOUTHWEST
27 FREEWAY, FOR THE MOST SOUTHERLY CORNER OF THE SAID 0.091 ACRE TRACT,

1 SAME BEING THE MOST EASTERLY CORNER OF THAT CERTAIN 0.008 ACRE
2 PARCEL 70, CONVEYED FROM TEXAS COMMERCE BANK NATIONAL ASSOCIATION
3 TO THE STATE OF TEXAS, AS RECORDED IN COUNTY CLERK'S FILE NO.
4 M083134, O.P.R.R.P.H.C.T., ALSO BEING THE NORTHWEST CORNER OF THE
5 SAID 0.8144 ACRE TRACT, AND ALSO BEING THE MOST WESTERLY CORNER OF
6 THE SAID REMAINDER OF THE 2.1764 ACRE TRACT, FROM WHICH A FOUND "X"
7 CUT IN CONCRETE BEARS N 35° 35' 41" E, 4.48 FEET, AND A FOUND TX DOT
8 MONUMENT BEARS, N 31° 30' 55" W, 3.37 FEET:

9 THENCE, WITH THE SAID SOUTHEAST LINE OF U.S. HIGHWAY 59, SOUTHWEST
10 FREEWAY, AND THE SOUTHEAST LINE OF THE SAID 0.091 ACRE TRACT, SAME
11 BEING THE NORTHWEST LINE OF THE SAID REMAINDER OF THE 2.1764 ACRE
12 TRACT, THE FOLLOWING (3) THREE COURSES AND DISTANCES:

13 1. N 39° 35' 41" E, A DISTANCE OF 10.68 FEET TO A SET "X" CUT
14 IN CONCRETE FOR A POINT OF CURVATURE, FROM WHICH A FOUND TX DOT
15 MONUMENT BEARS, N 22° 55' 16" W, 3.31 FEET,

16 2. A DISTANCE OF 145.34 FEET ALONG THE ARC OF A CURVE TO THE
17 RIGHT, HAVING A RADIUS OF 1902.86 FEET, A CENTRAL ANGLE OF 04° 22'
18 34" AND A CHORD WHICH BEARS, N 41° 46' 52" E, A DISTANCE OF 145.30
19 FEET TO A SET "X" CUT IN CONCRETE, FOR A POINT OF TANGENCY, FROM
20 WHICH A FOUND "X" CUT IN CONCRETE, BEARS, S 41° 20' 34" W, 6.02 FEET,
21 AND A FOUND TX DOT MONUMENT BEARS, N 38° 43' 27" W, 2.70 FEET, AND

22 3. N 43° 58' 09" E, A DISTANCE OF 276.81 FEET TO THE POINT OF
23 BEGINNING AND CONTAINING 2.0854 ACRES (90,840 SQUARE FEET) OF LAND
24 MORE OR LESS.

25 TRACT 2
26 BEING THAT CERTAIN TRACT OF LAND CONTAINING 1,9102 ACRES, IN THE
27 H.T. & B.R.R. COMPANY SURVEY, ABSTRACT NO. 397, HARRIS COUNTY,

1 TEXAS, BEING OUT OF THAT CERTAIN 21.4670 ACRE TRACT OF LAND
2 DESCRIBED IN A DEED RECORDED IN VOLUME 4758, PAGE 584 OF THE HARRIS
3 COUNTY DEED RECORDS, SAID TRACT BEING IN RESERVE "B" OF BLOCK 2 AS
4 SHOWN ON THE PLAT OF SOUTHWEST PLAZA RECORDED IN VOLUME 319, PAGE
5 117 OF THE HARRIS COUNTY MAP RECORDS, SAID TRACT BEING MORE
6 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
7 COMMENCING AT A 5/8" IRON ROD FOUND IN THE SOUTHEASTERLY
8 RIGHT-OF-WAY LINE OF U.S. HIGHWAY 59 (SOUTHWEST FREEWAY) AS WIDENED
9 FOR ITS INTERCHANGE WITH BELTWAY 8 AND DESCRIBED AS 12,827 SQUARE
10 FEET IN A DEED FROM GREATER SOUTHWEST OFFICE PARK, LTD. TO THE
11 STATE OF TEXAS, DATED JULY 7, 1983 (SAID 12,827 SQUARE FOOT TRACT
12 BEING RESERVE "F" OF SAID BLOCK 2), AT THE SOUTHWEST CORNER OF SAID
13 RESERVE "B", AT THE NORTHWEST CORNER OF RESERVE "C" OF SAID BLOCK 2,
14 AND IN THE CENTERLINE OF A HOUSTON LIGHTING & POWER COMPANY 80-FOOT
15 WIDE EASEMENT AS DESCRIBED IN INSTRUMENTS RECORDED IN VOLUME 3455,
16 PAGE 515, VOLUME 3455, PAGE 518 AND VOLUME 7847, PAGE 532, ALL OF
17 THE HARRIS COUNTY DEED RECORDS;
18 THENCE, S 89° 58' 26" E, 488.80 FEET ALONG THE SOUTH LINE OF SAID
19 RESERVE "B", ALONG THE NORTH LINE OF SAID RESERVE "C" AND ALONG THE
20 CENTERLINE OF SAID HOUSTON LIGHTING & POWER COMPANY 80-FOOT
21 EASEMENT TO A 5/8" IRON ROD FOUND FOR THE MOST SOUTHERLY SOUTHWEST
22 CORNER AND POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;
23 THENCE, N 00° 12' 53" W, 171.88 FEET ALONG THE EAST LINE OF THAT
24 CERTAIN 39.855 ACRE TRACT DESCRIBED IN A DEED RECORDED IN VOLUME
25 7853, PAGE 52 OF THE HARRIS COUNTY DEED RECORDS, AND ALONG THE WEST
26 LINE OF SAID 21.4670 ACRE TRACT TO A 5/8" IRON ROD SET AT THE
27 NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

1 THENCE, S 76° 24' 49" E, 147.14 FEET TO A 5/8" IRON ROD SET FOR
2 CORNER;

3 THENCE, S 89° 58' 26" E, 445.00 FEET TO A 5/8" IRON ROD SET IN THE
4 EAST LINE OF SAID RESERVE "B" FOR THE NORTHEAST CORNER OF THE HEREIN
5 DESCRIBED TRACT;

6 THENCE, S 00° 06' 16" E, 137.37 FEET ALONG AN EAST LINE OF SAID
7 RESERVE "B", AND OF SAID 21.4670 ACRE TRACT TO A 5/8" IRON ROD FOUND
8 IN THE CENTERLINE OF THE SAID HOUSTON LIGHTING & POWER COMPANY
9 80-FOOT WIDE EASEMENT FOR THE SOUTHEAST CORNER OF SAID RESERVE "B"
10 AND OF THE HEREIN DESCRIBED TRACT;

11 THENCE, N 89° 58' 26" W, 587.63 FEET ALONG THE CENTERLINE OF THE SAID
12 HOUSTON LIGHTING & POWER COMPANY 80-FOOT WIDE EASEMENT, ALONG THE
13 SOUTH LINE OF SAID RESERVE "B" AND ALONG THE NORTH LINE OF SAID
14 RESERVE "C" TO THE POINT OF BEGINNING AND CONTAINING 1.9102 ACRES OF
15 LAND.

16 Tract 2 also being described as follows:

17 A PARCEL OF LAND CONTAINING 1.9102 ACRES (83,208 SQUARE FEET) MORE
18 OR LESS BEING OUT OF UNRESTRICTED RESERVE "B", BLOCK 2, SOUTHWEST
19 PLAZA, AS RECORDED IN VOLUME 319, PAGE 117, MAP RECORDS OF HARRIS
20 COUNTY AND BEING THAT CERTAIN 1.9102 ACRE TRACT, CONVEYED FROM
21 ALBERT S. WEYCER, TRUSTEE TO JAY MARKS, TRUSTEE, AS RECORDED IN
22 COUNTY CLERK'S FILE NO. K349560, OFFICIAL PUBLIC RECORDS OF REAL
23 PROPERTY, HARRIS COUNTY, TEXAS, O.P.R.R.P.H.C.T., SAID 1.9102 ACRE
24 TRACT BEING SITUATED IN THE H.T. & B.R.R. CO. SURVEY, ABSTRACT NO.
25 397, IN HARRIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED
26 BY METES AND BOUNDS AS FOLLOWS:

27 COMMENCING AT A FOUND 5/8 INCH IRON ROD IN THE SOUTHEAST LINE OF

1 U.S. HIGHWAY 59, SOUTHWEST FREEWAY, RIGHT-OF-WAY VARIES, FOR THE
2 MOST SOUTHERLY CORNER OF THAT CERTAIN 0.122 ACRE TRACT DESCRIBED IN
3 A JUDGMENT, THE STATE OF TEXAS V. SMITH, LIU & CORBIN, INC. ET AL, AS
4 RECORDED IN COUNTY CLERK'S FILE NO. M191871, O.P.R.R.P.H.C.T., SAME
5 BEING THE MOST EASTERLY CORNER OF THAT CERTAIN 0.091 ACRE TRACT
6 DESCRIBED IN A JUDGEMENT, THE STATE OF TEXAS V. JAY MARKS, TRUSTEE,
7 ET AL, AS RECORDED IN COUNTY CLERK'S FILE NO. M917764,
8 O.P.R.R.P.H.C.T., ALSO BEING THE MOST WESTERLY CORNER OF THAT
9 CERTAIN 4.9328 ACRE TRACT I, CONVEYED FROM SMITH LIU, & CORBIN, INC.
10 TO CAR GR1, L.P., AS RECORDED IN COUNTY CLERK'S FILE NO. T483127,
11 O.P.R.R.P.H.C.T., AND ALSO BEING THE MOST NORTHERLY CORNER OF THE
12 REMAINDER PORTION OF THAT CERTAIN 2.1764 ACRE TRACT, CONVEYED FROM
13 GREATER SOUTHWEST OFFICE PARK, LTD. TO JAY MARKS, TRUSTEE, AS
14 RECORDED IN COUNTY CLERK'S FILE NO. K347823, O.P.R.R.P.H.C.T., FROM
15 WHICH A FOUND TX DOT MONUMENT BEARS, N 46°35'00", 1.11 FEET;
16 THENCE, WITH THE SOUTH LINE OF THE SAID 4.9328 ACRE TRACT I, SAME
17 BEING THE NORTH LINE OF THE SAID REMAINDER OF THE 2.1764 ACRE TRACT,
18 THE FOLLOWING (2) TWO COURSES AND DISTANCES:

19 3. S 46°00'19" E, A DISTANCE OF 190.31 FEET TO A FOUND "X" CUT
20 IN CONCRETE, FROM WHICH ANOTHER FOUND "X" CUT IN CONCRETE, BEARS, S
21 65°56'55" W, 0.39 FEET, AND

22 4. S 76°24'49" E, A DISTANCE OF 50.92 FEET TO A SET 5/8 INCH
23 IRON ROD WITH CAP STAMPED CIVIL-SURV, FOR THE NORTHWEST CORNER OF
24 THE SAID 1.9102 ACRE TRACT, SAME BEING THE NORTHEAST CORNER OF THE
25 SAID REMAINDER OF THE 2.1764 ACRE TRACT, AND THE POINT OF BEGINNING;
26 THENCE, WITH THE SAID SOUTH LINE OF THE 4.9328 ACRE TRACT I, SAME
27 BEING THE NORTH LINE OF THE SAID 1.9102 ACRE TRACT, THE FOLLOWING

1 (2) TWO COURSES AND DISTANCES:

2 1. S 76°24'49" E, A DISTANCE OF 147.14 FEET TO A FOUND 5/8
3 INCH IRON ROD, AND

4 2. S 89°58'26" E, A DISTANCE OF 445.00 FEET TO A FOUND 5/8
5 INCH IRON ROD, IN THE WEST LINE OF THE FINAL PLAT OF MOMENTUM
6 PORSCHE/AUDI, AS RECORDED IN FILM CODE NO. 527300, MAP RECORDS,
7 HARRIS COUNTY, TEXAS, SAME BEING IN THE EAST LINE OF SAID
8 UNRESTRICTED RESERVE "B", FOR THE SOUTHEAST CORNER OF THE SAID
9 4.9328 ACRE TRACT I, SAME BEING THE NORTHEAST CORNER OF THE SAID
10 1.9102 ACRE TRACT, FROM WHICH A FOUND 5/8 INCH IRON ROD BEARS, S
11 21°10'37" W, 0.87 FEET;

12 THENCE, S 00°06'16" E, WITH THE SAID WEST LINE OF MOMENTUM
13 PORSCHE/AUDI, SAME BEING THE EAST LINE OF THE SAID 1.9102 ACRE
14 TRACT, AND THE SAID EAST LINE OF UNRESTRICTED RESERVE "B", A
15 DISTANCE OF 137.37 FEET, TO A SET "V" CUT IN CONCRETE, FOR THE
16 NORTHEAST CORNER OF UNRESTRICTED RESERVE "C", OF SAID BLOCK 2,
17 SOUTHWEST PLAZA, AND THE NORTHEAST CORNER OF THAT CERTAIN 0.9442
18 ACRE TRACT, CONVEYED FROM ALBERT S. WEYCER, TRUSTEE TO LESTER A.
19 MARKS AND FRANCES M. LOWE, AS RECORDED IN COUNTY CLERK'S FILE NO.
20 N472331, O.P.R.R.P.H.C.T., SAME BEING THE SOUTHEAST CORNER OF SAID
21 UNRESTRICTED RESERVE "B", AND THE SOUTHEAST CORNER OF THE SAID
22 1.9102 ACRE TRACT;

23 THENCE, N 89°58'26" W, WITH THE NORTH LINE OF SAID UNRESTRICTED
24 RESERVE "C" AND THE NORTH LINE OF THE SAID 0.9442 ACRE TRACT, SAME
25 BEING THE SOUTH LINE OF SAID UNRESTRICTED RESERVE "B", AND THE SOUTH
26 LINE OF THE SAID 1.9102 ACRE TRACT, A DISTANCE OF 587.63 FEET, TO A
27 SET PK NAIL, FOR THE NORTHEAST CORNER OF THAT CERTAIN 0.8144 ACRE

1 TRACT, CONVEYED FROM TEXAS COMMERCE BANK NATIONAL ASSOCIATION TO
2 LESTER A. MARKS AND FRANCES M. LOWE, AS RECORDED IN COUNTY CLERK'S
3 FILE NO. M080219, O.P.R.R.P.H.C.T., SAME BEING THE SOUTHEAST CORNER
4 OF THE SAID REMAINDER OF THE 2.1764 ACRE TRACT, ALSO BEING THE
5 NORTHWEST CORNER OF THE SAID 0.9442 ACRE TRACT, AND ALSO BEING THE
6 SOUTHWEST CORNER OF THE SAID 1.9102 ACRE TRACT;
7 THENCE, N 00°12'53" W, WITH THE EAST LINE OF THE SAID REMAINDER OF
8 THE 2.1764 ACRE TRACT, SAME BEING THE WEST LINE OF THE SAID 1.9102
9 ACRE TRACT, A DISTANCE OF 171.88 FEET TO THE POINT OF BEGINNING AND
10 CONTAINING 1.9102 ACRES (83,208 SQUARE FEET) OF LAND MORE OR LESS.

11 TRACT 3

12 ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 0.8144 ACRE
13 (35,474.68 SQUARE FEET), SITUATED IN THE H.T. & B.R.R. COMPANY
14 SURVEY, ABSTRACT NO. 397, HARRIS COUNTY, TEXAS, BEING OUT OF AND A
15 PART OF THAT SAME 39.855 ACRE TRACT OF LAND DESCRIBED IN A DEED
16 RECORDED IN VOLUME 7853, PAGE 52 OF THE HARRIS COUNTY DEED RECORDS,
17 AND BEING A PART OF RESERVE "C" OF BLOCK TWO (2) AS SHOWN ON THE PLAT
18 OF SOUTHWEST PLAZA RECORDED IN VOLUME 319, PAGE 117 OF THE HARRIS
19 COUNTY MAP RECORDS, SAID 0.8144 ACRE (35,474.68 SQUARE FEET) OF
20 LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

21 BEGINNING AT A 5/8" IRON ROD FOUND IN THE NORTH LINE OF THE SAID
22 RESERVE "C" AND THE SOUTH LINE OF RESERVE "B" OF THE SAID SOUTHWEST
23 PLAZA, AND BEING THE NORTHEAST CORNER OF A STRIP OF LAND CONTAINING
24 337 SQUARE FEET SHOWN ON A TEXAS HIGHWAY DEPARTMENT RIGHT-OF-WAY
25 SKETCH AS PARCEL NO. 70, ACCT. 8012-1-90, DATED FEBRUARY 1987, SAID
26 CORNER BEING LOCATED S 89° 58' 26" E, 5.95 FEET FROM A 5/8 INCH IRON
27 ROD FOUND IN THE EXISTING SOUTHEAST RIGHT-OF-WAY LINE OF U.S.

1 HIGHWAY NO. 59 (THE SOUTHWEST FREEWAY) FOR THE NORTHWEST CORNER OF
2 THE SAID RESERVE "C" AND THE SOUTHWEST CORNER OF THE SAID RESERVE
3 "B";
4 THENCE, S 89° 58' 26" E, A DISTANCE OF 482.85 FEET ALONG THE NORTH
5 LINE OF THE SAID RESERVE "C" AND THE SOUTH LINE OF THE SAID RESERVE
6 "B", AND ALSO BEING THE CENTERLINE OF A HOUSTON LIGHTING & POWER
7 COMPANY 80 FOOT WIDE EASEMENT AS DESCRIBED IN INSTRUMENTS RECORDED
8 IN VOLUME 3455, PAGE 515, VOLUME 3455, PAGE 518 AND VOLUME 7847,
9 PAGE 532 OF THE HARRIS COUNTY DEED RECORDS, AND ALSO BEING THE SOUTH
10 LINE OF THAT CERTAIN 2.7778 ACRE TRACT DESCRIBED AS "SAVE AND
11 EXCEPT" IN DEED RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO.
12 L-445414 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, HARRIS
13 COUNTY, TEXAS, TO A 5/8-INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER
14 OF THE SAID 2.7778 ACRE TRACT, AND BEING THE NORTHEAST CORNER OF
15 THIS TRACT;
16 THENCE, S 0° 12' 53" E, A DISTANCE OF 69.33 FEET TO A 1/2-INCH IRON
17 ROD SET FOR THE SOUTHEAST CORNER OF THIS TRACT;
18 THENCE, N 89° 58' 26" W, A DISTANCE OF 540.53 FEET TO A 1/2-INCH IRON
19 ROD SET IN THE SOUTHEAST LINE OF THE SAID 337 SQUARE FOOT TRACT FOR
20 THE SOUTHWEST CORNER OF THIS TRACT;
21 THENCE, N 39° 38' 38" E, A DISTANCE OF 90.00 FEET ALONG THE SOUTHEAST
22 LINE OF THE SAID 337 SQUARE FOOT TRACT TO THE POINT OF BEGINNING AND
23 CONTAINING 0.8144 ACRE (35,474.68 SQUARE FEET) OF LAND.
24 Tract 3 also being described as follows:
25 A PARCEL OF LAND CONTAINING 0.8144 OF AN ACRE (35,475 SQUARE FEET)
26 MORE OR LESS BEING OUT OF UNRESTRICTED RESERVE "C", BLOCK 2,
27 SOUTHWEST PLAZA, AS RECORDED IN VOLUME 319, PAGE 117, MAP RECORDS OF

1 HARRIS COUNTY AND BEING THAT CERTAIN 0.8144 ACRE TRACT CONVEYED
2 FROM TEXAS COMMERCE BANK NATIONAL ASSOCIATION TO LESTER A. MARKS
3 AND FRANCES M. LOWE, AS RECORDED IN COUNTY CLERK'S FILE NO. M080219,
4 OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, HARRIS COUNTY, TEXAS,
5 O.P.R.R.P.H.C.T. SAID 0.8144 ACRE TRACT BEING SITUATED IN THE H.T.
6 & B. R.R. CO. SURVEY, ABSTRACT NO. 397, IN HARRIS COUNTY, TEXAS, AND
7 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
8 COMMENCING AT A FOUND 5/8 INCH IRON ROD IN THE SOUTHEAST LINE OF
9 U.S. HIGHWAY 59, SOUTHWEST FREEWAY, RIGHT-OF-WAY VARIES, FOR THE
10 MOST SOUTHERLY CORNER OF THAT CERTAIN 0.122 ACRE TRACT DESCRIBED IN
11 A JUDGEMENT, THE STATE OF TEXAS V. SMITH, LIU & CORBIN, INC., ET AL,
12 AS RECORDED IN COUNTY CLERK'S FILE NO. M191871, O.P.R.R.P.H.C.T.,
13 SAME BEING THE MOST EASTERLY CORNER OF THAT CERTAIN 0.091 ACRE TRACT
14 DESCRIBED IN A JUDGEMENT, THE STATE OF TEXAS V. JAY MARKS, TRUSTEE,
15 ET AL, AS RECORDED IN COUNTY CLERK'S FILE NO. M917764,
16 O.P.R.R.P.H.C.T., ALSO BEING THE MOST WESTERLY CORNER OF THAT
17 CERTAIN 4.9328 ACRE TRACT I, CONVEYED FROM SMITH LIU, & CORBIN, INC.
18 TO CAR GR1, L.P., AS RECORDED IN COUNTY CLERK'S FILE NO. T483127,
19 O.P.R.R.P.H.C.T., AND ALSO BEING THE MOST NORTHERLY CORNER OF THE
20 REMAINDER PORTION OF THAT CERTAIN 2.1764 ACRE TRACT, CONVEYED FROM
21 GREATER SOUTHWEST OFFICE PARK, LTD. TO JAY MARKS, TRUSTEE, AS
22 RECORDED IN COUNTY CLERK'S FILE NO. K347823, O.P.R.R.P.H.C.T;
23 THENCE, WITH THE SOUTH LINE OF THE SAID 4.9328 ACRE TRACT I, SAME
24 BEING THE NORTH LINE OF THE SAID REMAINDER OF THE 2.1764 ACRE TRACT,
25 THE FOLLOWING (2) TWO COURSES AND DISTANCES:

- 26 1. S 46° 00' 19" E, A DISTANCE OF 190.31 FEET TO A FOUND "X"
27 CUT IN CONCRETE, FROM WHICH ANOTHER FOUND "X" CUT IN

1 CONCRETE, BEARS, S 65°56"55" W, 0.39 FEET, AND
2 2. S 76° 24' 49" E, A DISTANCE OF 50.92 FEET TO A SET 5/8 INCH
3 IRON ROD WITH CAP STAMPED CIVIL-SURV, FOR THE NORTHWEST
4 CORNER OF THE THAT CERTAIN 1.9102 ACRE TRACT CONVEYED
5 FROM ALBERT S. WEYCER, TRUSTEE, TO JAY MARKS, TRUSTEE, AS
6 RECORDED IN COUNTY CLERK'S FILE NO. K349560,
7 O.P.R.R.P.H.C.T., SAME BEING THE NORTHEAST CORNER OF THE
8 SAID REMAINDER OF THE 2.1764 ACRE TRACT;
9 THENCE, S 00° 12' 53" E, WITH THE WEST LINE OF THE SAID 1.9102 ACRE
10 TRACT, SAME BEING THE EAST LINE OF THE SAID REMAINDER OF THE 2.1764
11 ACRE TRACT, A DISTANCE OF 171.88 FEET, TO A SET PK NAIL, IN THE SOUTH
12 LINE OF UNRESTRICTED RESERVE "B", OF SAID BLOCK 2, SOUTHWEST PLAZA,
13 SAME BEING IN THE NORTH LINE OF SAID UNRESTRICTED RESERVE "C", FOR
14 THE NORTHWEST CORNER OF THAT CERTAIN 0.9442 ACRE TRACT, CONVEYED
15 FROM ALBERT S. WEYCER, TRUSTEE TO LESTER A. MARKS AND FRANCES M.
16 LOWE, AS RECORDED IN COUNTY CLERK'S FILE NO. N472331,
17 O.P.R.R.P.H.C.T., SAME BEING THE SOUTHWEST CORNER OF THE SAID
18 1.9102 ACRE TRACT, ALSO BEING THE SOUTHEAST CORNER OF THE SAID
19 REMAINDER OF THE 2.1764 ACRE TRACT, AND ALSO BEING THE NORTHEAST
20 CORNER OF THE SAID 0.8144 ACRE TRACT, AND THE POINT OF BEGINNING;
21 THENCE, S 00° 12' 53" E, WITH THE WEST LINE OF THE SAID 0.9442 ACRE
22 TRACT, SAME BEING THE EAST LINE OF THE SAID 0.8144 ACRE TRACT, A
23 DISTANCE OF 69.33 FEET TO A SET 5/8 INCH IRON ROD WITH CAP STAMPED
24 CIVIL-SURV, FOR THE NORTHEAST CORNER OF THAT CERTAIN 5.9065 ACRE
25 TRACT CONVEYED FROM COMMERCE BANK NATIONAL ASSOCIATION TO
26 FISHER-HAAS INFINITI, AS RECORDED IN COUNTY CLERK'S FILE NO.
27 M624681, O.P.R.R.P.H.C.T., SAME BEING THE SOUTHEAST CORNER OF THE

1 SAID 0.8144 ACRE TRACT, FROM WHICH A FOUND 5/8 INCH IRON ROD, FOR
2 THE NORTHWEST CORNER OF THE REMAINDER OF THAT CERTAIN 5.2866 ACRE
3 TRACT CONVEYED FROM ALBERT S. WEYCER, TRUSTEE, TO FARZANA SAMEMY,
4 AS RECORDED IN COUNTY CLERK'S FILE NO. T026325, O.P.R.R.P.H.C.T.,
5 SAME BEING THE SOUTHWEST CORNER OF THE SAID 0.9442 ACRE TRACT BEARS,
6 S 00° 12' 53" E, 0.67 FEET;
7 THENCE, N 89° 58' 26" W, WITH THE SOUTH LINE OF THE SAID 0.8144 ACRE
8 TRACT, SAME BEING THE NORTH LINE OF THE SAID 5.9065 ACRE TRACT, AT A
9 DISTANCE OF 302.85 FEET PASS A FOUND 5/8 INCH IRON ROD FOR THE
10 NORTHEAST CORNER OF THE FINAL PLAT OF SOUTHWEST PLAZA PARK, AS
11 RECORDED IN VOLUME 345, PAGE 118, MAP RECORDS, HARRIS COUNTY,
12 TEXAS, AND ALSO WITH THE NORTH LINE OF SAID SOUTHWEST PLAZA PARK, A
13 TOTAL DISTANCE OF 540.53 FEET TO A FOUND 1/2 INCH IRON ROD, IN THE
14 SAID SOUTHEAST LINE OF U.S. HIGHWAY 59, SOUTHWEST FREEWAY, AND THE
15 SOUTHEAST LINE OF THAT CERTAIN 0.008 ACRE PARCEL 70 CONVEYED FROM
16 TEXAS COMMERCE BANK NATIONAL ASSOCIATION TO THE STATE OF TEXAS, AS
17 RECORDED IN COUNTY CLERK'S FILE NO. M083134, O.P.R.R.P.H.C.T., FOR
18 THE NORTHWEST CORNER OF SAID SOUTHWEST PLAZA PARK, AND THE
19 NORTHWEST CORNER OF THE SAID 5.9065 ACRE TRACT, SAME BEING THE
20 SOUTHWEST CORNER OF THE SAID 0.8144 ACRE TRACT;
21 THENCE, N 39° 38' 38" E, WITH THE SAID SOUTHEAST LINE OF U.S. HIGHWAY
22 59, SOUTHWEST FREEWAY, AND THE SAID SOUTHEAST LINE OF THE 0.008 ACRE
23 PARCEL 70, SAME BEING THE NORTHWEST LINE OF THE SAID 0.8144 ACRE
24 TRACT, A DISTANCE OF 90.00 FEET TO A POINT ON THE CONCRETE BASE OF A
25 PIPE FENCE POST, IN THE SAID SOUTH LINE OF UNRESTRICTED RESERVE "B",
26 SAME BEING THE SAID NORTH LINE OF UNRESTRICTED RESERVE "C", FOR THE
27 MOST SOUTHERLY CORNER OF THE SAID 0.091 ACRE TRACT, SAME BEING THE

1 MOST EASTERLY CORNER OF THE SAID 0.008 ACRE PARCEL 70, AND BEING THE
2 MOST WESTERLY CORNER OF THE SAID REMAINDER PORTION OF THE 2.1764
3 ACRE TRACT, AND ALSO BEING THE NORTHWEST CORNER OF THE SAID 0.8144
4 ACRE TRACT, FROM WHICH A FOUND "X" CUT IN CONCRETE, BEARS, N 35° 35'
5 41" E, 4.48 FEET, AND A FOUND TX DOT MONUMENT, BEARS, N 31° 30' 55" W,
6 3.37 FEET;
7 THENCE, S 89° 58' 26" E, WITH THE SAID SOUTH LINE OF UNRESTRICTED
8 RESERVE "B", AND WITH THE SOUTH LINE OF THE SAID REMAINDER OF 2.1764
9 ACRE TRACT, SAME BEING THE SAID NORTH LINE OF UNRESTRICTED RESERVE
10 "C", AND THE NORTH LINE OF THE SAID 0.8144 ACRE TRACT, A DISTANCE OF
11 482.85 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.8144 OF AN
12 ACRE (35,475 SQUARE FEET) OF LAND MORE OR LESS.

13 TRACT 4

14 FIELD NOTE DESCRIPTION TO A TRACT OF LAND CONTAINING 0.9442 ACRES
15 (41,131 SQUARE FEET), MORE OR LESS, SITUATED IN THE W.E. SANDERS
16 SURVEY IN HARRIS COUNTY, TEXAS, AND BEING PART OF RESERVE "C" OF
17 SOUTHWEST PLAZA, AN ADDITION IN HARRIS COUNTY, TEXAS, ACCORDING TO
18 THE MAP OR PLAT THEREOF RECORDED IN VOLUME 319, PAGE 117, OF THE
19 HARRIS COUNTY MAP RECORDS, SAID 0.9442 ACRES BEING MORE
20 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

21 BEGINNING AT A FOUND 5/8 INCH IRON ROD MARKING THE NORTHEAST CORNER
22 OF THE AFOREMENTIONED RESERVE "C";

23 THENCE, S 00 DEGREES 06 MINUTES 16 SECONDS E, ALONG THE EAST LINE OF
24 SAID RESERVE "C" AND THE EAST LINE OF SAID SOUTHWEST PLAZA ADDITION
25 A DISTANCE OF 70.00 FEET TO A SET 1/2 INCH IRON ROD FOR CORNER;

26 THENCE, N 89 DEGREES 58 MINUTES 26 SECONDS W, PARALLEL TO AND 70
27 FEET SOUTH OF THE NORTH LINE OF SAID RESERVE "C" A DISTANCE OF

1 587.51 FEET TO A FOUND 5/8 INCH IRON ROD FOR CORNER;
2 THENCE, N 00 DEGREES 12 MINUTES 55 SECONDS W, A DISTANCE OF 70.00
3 FEET TO A FOUND 5/8 INCH IRON ROD FOR CORNER;
4 THENCE, S 89 DEGREES 58 MINUTES 26 SECONDS E, ALONG THE NORTH LINE
5 OF SAID RESERVE "C" A DISTANCE OF 587.65 FEET TO THE POINT OF
6 BEGINNING AND CONTAINING 0.9442 ACRES OF LAND, MORE OR LESS.

7 Tract 4 also being described as follows:

8 A PARCEL OF LAND CONTAINING 0.9442 OF AN ACRE (41,129 SQUARE FEET)
9 MORE OR LESS BEING OUT OF UNRESTRICTED RESERVE "C", BLOCK 2,
10 SOUTHWEST PLAZA, AS RECORDED IN VOLUME 319, PAGE 117, MAP RECORDS OF
11 HARRIS COUNTY AND BEING THAT CERTAIN 0.9442 ACRE TRACT CONVEYED
12 FROM ALBERT S. WEYCER, TRUSTEE, TO LESTER A. MARKS AND FRANCES M.
13 LOWE, AS RECORDED IN COUNTY CLERK'S FILE NO. N472331, OFFICIAL
14 PUBLIC RECORDS OF REAL PROPERTY, HARRIS COUNTY, TEXAS,
15 O.P.R.R.P.H.C.T., SAID 0.9442 ACRE TRACT BEING SITUATED IN THE H.T.
16 & B. R.R. CO. SURVEY, ABSTRACT NO. 397, IN HARRIS COUNTY, TEXAS, AND
17 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

18 COMMENCING AT A FOUND 5/8 INCH IRON ROD IN THE SOUTHEAST LINE OF
19 U.S. HIGHWAY 59, SOUTHWEST FREEWAY, RIGHT-OF-WAY VARIES, FOR THE
20 MOST SOUTHERLY CORNER OF THAT CERTAIN 0.122 ACRE TRACT DESCRIBED IN
21 A JUDGMENT, THE STATE OF TEXAS V. SMITH, LIU & CORBIN, INC. ET AL, AS
22 RECORDED IN COUNTY CLERK'S FILE NO. M191871, O.P.R.R.P.H.C.T., SAME
23 BEING THE MOST EASTERLY CORNER OF THAT CERTAIN 0.091 ACRE TRACT
24 DESCRIBED IN A JUDGMENT, THE STATE OF TEXAS V. JAY MARKS, TRUSTEE,
25 ET AL, AS RECORDED IN COUNTY CLERK'S FILE NO. M917764,
26 O.P.R.R.P.H.C.T., ALSO BEING THE MOST WESTERLY CORNER OF THAT
27 CERTAIN 4.9328 ACRE TRACT I, CONVEYED FROM SMITH LIU, & CORBIN, INC.

1 TO CAR GR1, L.P., AS RECORDED IN COUNTY CLERK'S FILE NO. T483127,
2 O.P.R.R.P.H.C.T., AND ALSO BEING THE MOST NORTHERLY CORNER OF THE
3 REMAINDER PORTION OF THAT CERTAIN 2.1764 ACRE TRACT, CONVEYED FROM
4 GREATER SOUTHWEST OFFICE PARK, LTD. TO JAY MARKS, TRUSTEE, AS
5 RECORDED IN COUNTY CLERK'S FILE NO. K347823, O.P.R.R.P.H.C.T.;
6 THENCE, WITH THE SOUTH LINE OF THE SAID 4.9328 ACRE TRACT I, SAME
7 BEING THE NORTH LINE OF THE SAID REMAINDER OF THE 2.1764 ACRE TRACT,
8 THE FOLLOWING (2) TWO COURSES AND DISTANCES:

9 3. S 46° 00' 19" E, A DISTANCE OF 190.31 FEET TO A FOUND "X"
10 CUT IN CONCRETE, FROM WHICH ANOTHER FOUND "X" CUT IN
11 CONCRETE, BEARS, S 65° 56' 55" W, 0.39 FEET, AND

12 4. S 76° 24' 49" E, A DISTANCE OF 50.92 FEET TO A SET 5/8 INCH
13 IRON ROD WITH CAP STAMPED CIVIL-SURV, FOR THE NORTHWEST
14 CORNER OF THAT CERTAIN 1.9102 ACRE TRACT CONVEYED FROM
15 ALBERT S. WEYCER, TRUSTEE, TO JAY MARKS, TRUSTEE, AS
16 RECORDED IN COUNTY CLERK'S FILE NO. K349560,
17 O.P.R.R.P.H.C.T., SAME BEING THE NORTHEAST CORNER OF THE
18 SAID REMAINDER OF THE 2.1764 ACRE TRACT;

19 THENCE, S 00° 12' 53" E, WITH THE WEST LINE OF THE SAID 1.9102 ACRE
20 TRACT, SAME BEING THE EAST LINE OF THE SAID REMAINDER OF THE 2.1764
21 ACRE TRACT, A DISTANCE OF 171.88 FEET, TO A SET PK NAIL, IN THE SOUTH
22 LINE OF UNRESTRICTED RESERVE "B", OF SAID BLOCK 2, SOUTHWEST PLAZA,
23 SAME BEING IN THE NORTH LINE OF SAID UNRESTRICTED RESERVE "C", FOR
24 THE NORTHEAST CORNER OF THAT CERTAIN 0.8144 ACRE TRACT, CONVEYED
25 FROM TEXAS COMMERCE BANK NATIONAL ASSOCIATION TO LESTER A. MARKS
26 AND FRANCES M. LOWE, AS RECORDED IN COUNTY CLERK'S FILE NO. M080219,
27 O.P.R.R.P.H.C.T., SAME BEING THE SOUTHWEST CORNER OF THE SAID

1 1.9102 ACRE TRACT, ALSO BEING THE SOUTHEAST CORNER OF THE SAID
2 REMAINDER OF THE 2.1764 ACRE TRACT, AND ALSO BEING THE NORTHWEST
3 CORNER OF THE SAID 0.9442 ACRE TRACT, AND THE POINT OF BEGINNING;
4 THENCE, S 89° 58' 26" E, WITH THE SAID SOUTH LINE OF UNRESTRICTED
5 RESERVE "B", AND THE SOUTH LINE OF THE SAID 1.9102 ACRE TRACT, SAME
6 BEING THE SAID NORTH LINE OF UNRESTRICTED RESERVE "C", AND THE NORTH
7 LINE OF THE SAID 0.9442 ACRE TRACT, A DISTANCE OF 587.63 FEET TO A
8 SET "V" CUT IN CONCRETE, IN THE WEST LINE OF THE FINAL PLAT,
9 MOMENTUM PORSCHE/AUDI, AS RECORDED IN FILM CODE NO. 527300, MAP
10 RECORDS, HARRIS COUNTY, TEXAS, FOR THE SOUTHEAST CORNER OF SAID
11 UNRESTRICTED RESERVE "B", AND THE SOUTHEAST CORNER OF THE SAID
12 1.9102 ACRE TRACT, SAME BEING THE NORTHEAST CORNER OF SAID
13 UNRESTRICTED RESERVE "C", AND THE NORTHEAST CORNER OF THE SAID
14 0.9442 ACRE TRACT;
15 THENCE, S 00° 06' 16" E, WITH THE SAID WEST LINE OF MOMENTUM
16 PORSCHE/AUDI, SAME BEING THE EAST LINE OF THE SAID 0.9442 ACRE
17 TRACT, AND THE EAST LINE OF SAID UNRESTRICTED RESERVE "C", A
18 DISTANCE OF 70.00 FEET TO A SET 5/8 INCH IRON ROD WITH CAP STAMPED
19 CIVIL-SURV, FOR THE NORTHEAST CORNER OF THE REMAINDER OF THAT
20 CERTAIN 5.2866 ACRE TRACT, CONVEYED FROM ALBERT S. WEYCER, TRUSTEE,
21 TO FARZANA SAMEMY, AS RECORDED IN COUNTY CLERK'S FILE NO. T026325,
22 O.P.R.R.P.H.C.T., SAME BEING THE SOUTHEAST CORNER OF THE SAID
23 0.9442 ACRE TRACT, FROM WHICH A FOUND 5/8 INCH IRON ROD FOR THE
24 SOUTHWEST CORNER OF SAID MOMENTUM PORSCHE/AUDI BEARS, S 00° 06' 16"
25 E, 219.70 FEET;
26 THENCE, N 89° 58' 26" W, WITH THE NORTH LINE OF THE SAID REMAINDER OF
27 THE 5.2866 ACRE TRACT, SAME BEING THE SOUTH LINE OF THE SAID 0.9442

1 ACRE TRACT, A DISTANCE OF 587.49 FEET TO A FOUND 5/8 INCH IRON ROD,
2 IN THE EAST LINE OF THAT CERTAIN 5.9065 ACRE TRACT, CONVEYED FROM
3 TEXAS COMMERCE BANK NATIONAL ASSOCIATION TO FISHER-HAAS INFINITI,
4 AS RECORDED IN COUNTY CLERK'S FILE NO. M624681, O.P.R.R.P.H.C.T.,
5 FOR THE NORTHWEST CORNER OF THE SAID REMAINDER OF THE 5.2866 ACRE
6 TRACT, SAME BEING THE SOUTHWEST CORNER OF THE SAID 0.9442 ACRE
7 TRACT, FROM WHICH A FOUND 5/8 INCH IRON ROD, FOR THE SOUTHEAST
8 CORNER OF THE SAID 5.9065 ACRE TRACT, SAME BEING THE SOUTHWEST
9 CORNER OF THE SAID REMAINDER OF THE 5.2866 ACRE TRACT BEARS, S 00°
10 12' 53" E, 409.13 FEET;
11 THENCE, N 00° 12' 53" W, WITH THE WEST LINE OF THE SAID 0.9442 ACRE
12 TRACT, SAME BEING THE SAID EAST LINE OF THE 5.9065 ACRE TRACT, AT A
13 DISTANCE OF 0.67 FEET, PASS A SET 5/8 INCH IRON ROD WITH CAP STAMPED
14 CIVIL-SURV, FOR THE SOUTHEAST CORNER OF THE SAID 0.8144 ACRE TRACT,
15 SAME BEING THE NORTHEAST CORNER OF THE SAID 5.9065 ACRE TRACT, AND
16 WITH THE EAST LINE OF THE SAID 0.8144 ACRE TRACT, A TOTAL DISTANCE
17 OF 70.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.9442 OF AN
18 ACRE (41,129 SQUARE FEET) OF LAND MORE OR LESS.
19 BEING a 7.5317 acre tract of land in the W. E. Sanders Survey,
20 Abstract No. 1137, Harris County, Texas, and being part of that same
21 11.6222 acre tract described in a deed recorded under the Harris
22 County Clerk's File No. F903899, said 7.5317 acre tract being more
23 particularly described by metes and bounds as follows:
24 BEGINNING at a 5/8" iron rod set in the southeasterly right-of-way
25 line of U. S. Highway No. 59 (Southwest Freeway) at the most
26 westerly corner of One Forum Plaza as shown on the plat recorded in
27 Volume 307, Page 36 of the Harris County Map Records;

1 THENCE S 46 Deg 00 Min 26 E, 528.35 feet along the southwesterly
2 line of said One Forum Plaza to a 5/8" iron rod set for the most
3 southerly corner of One Forum Plaza and being in the most westerly
4 line of Southwest Plaza as shown on the plat recorded in Volume 319,
5 Page 117 of the Harris County Map Records;

6 THENCE S 00 Deg 10 Min 10 Sec E, 31.31 feet along the most westerly
7 line of said Southwest Plaza to a 5/8" iron rod set for corner,
8 being the most westerly southwest corner of said Southwest Plaza
9 and being a corner of a sewage treatment plant site;

10 THENCE S 43 Deg 59 Min 00 Sec W, 450.76 feet along the northwesterly
11 line of said sewage treatment plant site and along the
12 southeasterly line of said 11.6222 acre tract to a 5/8" iron rod
13 found for the most southerly corner of said 11.6222 acre tract;

14 THENCE N 70 Deg 11 Min 03 Sec W, 603.15 feet along the northeasterly
15 line of the access road for the sewage treatment plant and along the
16 southwesterly line of said 11.6222 acre tract to a 5/8" iron rod set
17 for corner in the southeasterly right-of-way line of U. S. Highway
18 No. 59;

19 THENCE N 43 Deg 59 Min 34 Sec E, 720.24 feet along the southeasterly
20 right-of-way line of U. S. Highway No. 59, same being the
21 southeasterly line of a 1.2306 acre tract awarded to the State of
22 Texas as described in an instrument recorded under the Harris
23 County Clerk's File No. H169515 to the POINT OF BEGINNING and
24 containing 7.5317 acres.

25 FIELD NOTES FOR 128,955 SQUARE FEET OR 2.960 ACRES OF LAND, BEING
26 THE RESIDUE OF LOTS 2, 3, 4, AND 16 OF SHAMROCK ESTATES, AN
27 UNRECORDED SUBDIVISION, AS DESCRIBED IN DEEDS DATED JUNE 24, 1987

1 TO FIRST REPUBLICBANK-FANNIN RECORDED UNDER HARRIS COUNTY CLERK'S
2 FILE NOS. L194994 (RESIDUE OF LOT 16), L194995 (RESIDUE OF LOTS 2
3 AND 3), AND L194996 (RESIDUE OF LOT 4), OFFICIAL PUBLIC RECORD OF
4 REAL PROPERTY, LOCATED IN THE JAMES ALSTON SURVEY, ABSTRACT NO.
5 100, HARRIS COUNTY, TEXAS:

6 (All bearings referenced to Texas Coordinate System, South Central
7 Zone)

8 BEGINNING at a 1/2 inch iron rod set for the intersection of the
9 west line of said Lot 2 with the easterly line of U.S. Highway 59
10 (Southwest Freeway, variable width) as established by deed to the
11 State of Texas recorded under Clerk's File No. D837154; said point
12 being on the east line of a certain 20,673 square foot tract
13 described in deeds to the State of Texas recorded under Clerk's File
14 Nos. H214443 and H214444;

15 THENCE N 41 deg. 28 min. 50 sec. E, along the easterly line of U.S.
16 Highway 59, 436.92 feet to a 1/2 inch iron rod set in the common line
17 between Lots 15 and 16 for the most northerly corner of the herein
18 described tract;

19 THENCE S 08 deg. 14 min. 45 sec. E, along said common line, at 77.13
20 feet pass an "X" in concrete found in the north line of Emerald
21 Drive (a 40 foot wide private roadway easement per Volume 3397, Page
22 699, Harris County Deed Records, and Clerk's File No. F679918), at
23 87.32 pass a found 5/8 inch iron rod, in all 97.13 feet to a 1/2 inch
24 iron rod found in the centerline of Emerald Drive for the southeast
25 corner of Lot 16 and the re-entrant corner of the herein described
26 tract;

27 THENCE in an easterly direction with the centerline of Emerald

1 Drive along a curve to the left having a radius of 800.00 feet, a
2 central angle of 07 deg. 14 min. 51 sec., a chord bearing of N 77
3 deg. 33 min. 10 sec. E, and a chord length of 101.13 feet, an arc
4 distance of 101.19 feet to a 1/2 inch iron rod set in the common line
5 between Lots 4 and 5 for the northeast corner of said Lot 4 and the
6 herein described tract;
7 THENCE S 16 deg. 03 min. 47 sec. E, along said common line between
8 Lots 4 and 5, 292.20 feet to a 5/8 inch iron rod found in the north
9 line of Keegans Bayou, (Harris County Flood Control District Unit
10 D-118-00-00), as described in deed recorded under Clerk's File No.
11 F256087, for the southeast corner of the herein described tract;
12 THENCE along the north line of said Keegans Bayou as established by
13 deeds recorded under Clerk's File Nos. F256087 and B206039 the
14 following courses and distances:
15 S 59 deg. 16 min. 53 sec. W, 125.24 feet to a 1/2 inch iron rod
16 set for corner;
17 N 88 deg. 41 min. 30 sec. W, 204.96 feet to an "X" mark in
18 concrete set for corner;
19 S 72 deg. 26 min. 22 sec. W, 119.15 feet to an "X" mark in
20 concrete set for corner;
21 N 82 deg. 37 min. 27 sec. W, 80.37 feet to a 1/2 inch iron rod
22 set in the common line between Lot 2 and the aforementioned
23 20,673 square feet tract for the southwest corner of the
24 herein described tract;
25 THENCE N 11 deg. 30 min. 26 sec. E, along said common line, 115.03
26 feet to the POINT OF BEGINNING and containing 128,955 square feet or
27 2.960 acres of land.

DESCRIPTION OF A 5.9065 ACRE TRACT OF LAND

IN THE H.T.& B.R.R. SURVEY, A-397

HARRIS COUNTY, TEXAS

BEING a 5.9065 acre tract of land in the H.T.&B. R.R. survey, Abstract No. 397, Harris County, Texas and being part of unrestricted Reserve "C" as shown on the plat of Southwest Plaza recorded in Volume 319, Page 117 of the Harris County Map Records, said 5.9065 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod found at a westerly corner of said Reserve "C", in the northeasterly right-of-way line of Southwest Plaza Drive (100 feet of R.O.W.), in the southeasterly right-of-way line of U.S. Highway No. 59 (Southwest Freeway) and at the most southerly corner of Reserve "F" (restricted for use as U.S. Highway No. 59 right-of-way) as shown on said plat of Southwest Plaza;

THENCE N 01 Deg 29 Min 08 Sec W, 35.66 feet along the southeasterly right-of-way line of U.S. Highway No. 59 and along a common line of said Reserves "F" and "C" to a 5/8" iron rod found for corner, a 5/8" iron rod with aluminum cap bears S 37 Deg 48 Min 21 Sec E, 3.92 feet and a brass disc in concrete bears S 32 Deg E, 0.70 feet;

THENCE N 37 Deg 48 Min 21 Sec E, 205.01 feet continuing along the southeasterly right-of-way line of U.S. Highway No. 59 and along a common line of said Reserves "F" and "C" to a 5/8" iron rod found for an angle point;

THENCE N 39 Deg 38 Min 32 Sec E, 56.76 feet continuing along the southeasterly right-of-way line of U.S. Highway No. 59 and leaving the common line of said Reserves "F" and "C" to a 5/8" iron rod set

1 for corner, a 1/2" iron rod bears N 89 Deg 58 Min 26 Sec W, 0.38
2 feet;
3 THENCE S 89 Deg 58 Min 26 Sec E, 540.53 feet to a 5/8" iron rod set
4 for corner, a 1/2" iron rod bears N 89 Deg 58 Min 26 Sec W, 0.44
5 feet;
6 THENCE S 00 Deg 12 Min 53 Sec E, 409.80 feet to a 5/8" iron rod set
7 for corner in the northerly right-of-way line of Southwest Plaza
8 Drive;
9 THENCE in a westerly direction, 217.52 feet along the northerly
10 right-of-way line of Southwest Plaza Drive (65 feet of R.O.W.) and
11 following the arc of a curve to the right having a radius of 1318.00
12 feet, a central angle of 9 Deg 27 Min 21 Sec and a chord which bears
13 S 87 Deg 15 Min 20 Sec W, 217.27 feet to a 5/8" iron rod found for the
14 point of tangency of said curve;
15 THENCE N 88 Deg 01 Min 00 Sec W, 120.09 feet continuing along the
16 northerly right-of-way line of Southwest Plaza Drive (65 feet of
17 R.O.W.) to a 5/8" iron rod found for the point of curvature of a
18 curve to the right;
19 THENCE in a westerly direction, 236.55 feet continuing along the
20 northerly right-of-way line of Southwest Plaza Drive (65 feet of
21 R.O.W.) and following the arc of said curve to the right having a
22 radius of 567.50 feet, a central angle of 23 Deg 52 Min 58 Sec and a
23 chord which bears N 76 Deg 04 Min 31 Sec W, 234.84 feet to a 5/8"
24 iron rod found for a point of compound curvature;
25 THENCE in a northwesterly direction, 114.92 feet, continuing along
26 the northerly right-of-way line of Southwest Plaza Drive (width of
27 R.O.W. varies) and following the arc of a curve to the right having

1 a radius of 300.00 feet a central angle of 21 Deg 56 Min 54 Dec and a
2 chord which bears N 53 Deg 09 Min 35 Sec W, 114.22 feet to a 5/8"
3 iron rod found for the point of tangency of said curve;
4 THENCE N 42 Deg 11 Min 07 Sec W, 43.36 feet continuing along the
5 northerly right-of-way line of Southwest Plaza Drive (width of
6 R.O.W. varies) to a 5/8" iron rod found for the point of curvature
7 of a curve to the left;
8 THENCE in a northwesterly direction, 20.00 feet continuing along
9 the northerly right-of-way line of Southwest Plaza Drive (width of
10 R.O.W.) varies and following the arc of said curve to the left
11 having a radius of 300.00 feet, a central angle of 03 Deg 49 Min 11
12 Sec and a chord which bears N 44 Deg 05 Min 43 Sec W, 20.00 feet to a
13 5/8" iron rod found for the point of tangency of said curve;
14 THENCE N 46 Deg 00 Min 19 Sec W, 5.01 feet continuing along the
15 northerly right-of-way line of Southwest Plaza Drive (100 feet of
16 R.O.W.) to the POINT OF BEGINNING and containing 5.9065 acres of
17 land.

18 One Reserve - One Block A Replat of 4.3452 acre tract of land out of
19 Reserve "A" Southwest Plaza, Vol. 319, Pg. 117, of the Map Records
20 of Harris County, which is part of the H.T. & B.R.R. Survey,
21 Abstract No. 397, Harris County, Texas.

22 SECTION 3. The Harris County Improvement District No. 5 may
23 reimburse the cost of creating the district from assessments or
24 other revenues created by the district.

25 SECTION 4. (a) The Greater Southeast Management District
26 does not include the area of state representative District 146 as of
27 the effective date of the Act enacting this section.

1 (b) Disannexation of territory under this section does not
2 affect the Greater Southeast Management District's right to collect
3 any assessments, impact fees, or taxes imposed on property in the
4 disannexed territory before the disannexation.

5 (c) Disannexation of territory under this section does not
6 diminish or impair the rights of the holders of any outstanding and
7 unpaid bonds, warrants, or other obligations of the Greater
8 Southeast Management District. Property disannexed under this
9 section is not released from its pro rata share of any district
10 indebtedness at the time of the disannexation, and the district may
11 continue to tax the property until that debt is paid.

12 (d) The residents in the area of state representative
13 District 146 may join the area of the Harris County Improvement
14 District No. 5 by following the procedure for the creation of a new
15 municipal management district in Subchapter B, Chapter 375, Local
16 Government Code.

17 SECTION 5. The legislature finds that:

18 (1) proper and legal notice of the intention to
19 introduce this Act, setting forth the general substance of this
20 Act, has been published as provided by law, and the notice and a
21 copy of this Act have been furnished to all persons, agencies,
22 officials, or entities to which they are required to be furnished by
23 the constitution and laws of this state, including the governor,
24 who has submitted the notice and Act to the Texas Commission on
25 Environmental Quality;

26 (2) the Texas Commission on Environmental Quality has
27 filed its recommendations relating to this Act with the governor,

1 lieutenant governor, and speaker of the house of representatives
2 within the required time;

3 (3) the general law relating to consent by political
4 subdivisions to the creation of districts with conservation,
5 reclamation, and road powers and the inclusion of land in those
6 districts has been complied with; and

7 (4) all requirements of the constitution and laws of
8 this state and the rules and procedures of the legislature with
9 respect to the notice, introduction, and passage of this Act have
10 been fulfilled and accomplished.

11 SECTION 6. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2005.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 993 passed the Senate on April 14, 2005, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendments on May 27, 2005, by the following vote: Yeas 29, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 993 passed the House, with amendments, on May 25, 2005, by the following vote: Yeas 144, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor